

England under the Tudors and Stuarts

James Birchall



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ENGLAND

UNDER

THE STUARTS:

AN HISTORICAL MANUAL,

EXPRESSLY ARRANGED AND ANALYSED FOR THE USE OF STUDENTS,

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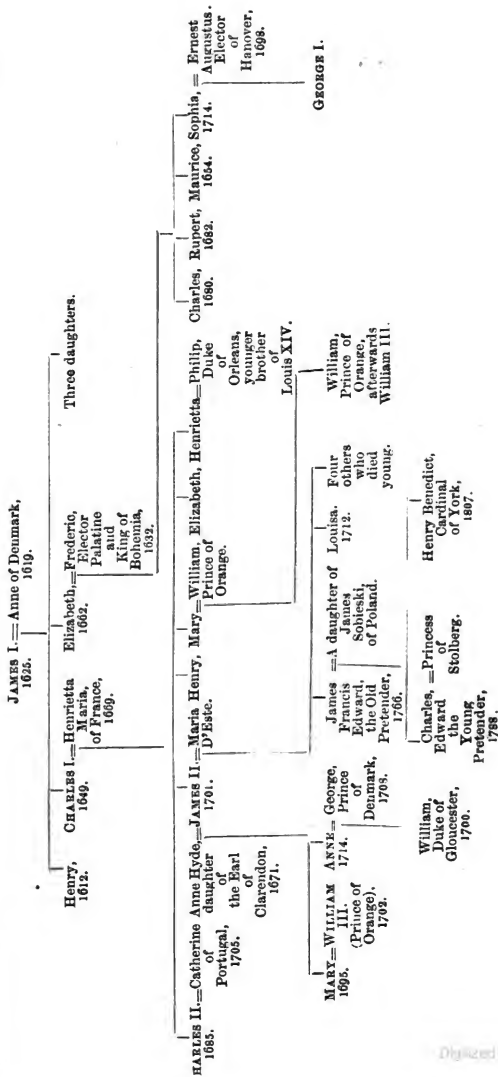
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GENEALOGICAL TABLE OF THE STUART FAMILY.



ENGLAND UNDER THE STUARTS.

THE FIRST STUART PERIOD. 1603-1649.

FORTY-SIX YEARS.

James I. reigned 22 years; from 1603 to 1625.

Charles I. „ 24 „ „ 1625 to 1649.

CHAPTER I. THE REIGN OF JAMES THE FIRST.

James I. *Reigned* twenty-two years and three days, from 24th March, 1603, to 27th March, 1625. *Born* in Edinburgh Castle, 19th June, 1566. *Married* Anne of Denmark. *Died* 27th March, 1625.

SECTION I.—FROM THE KING'S ACCESSION TO THE DEATH OF CECIL. 1603-1612.

1. **Right of the House of Stuart to the Throne.** The accession of James of Scotland was notified to the public without causing any excitement, because it was the general opinion that he was the lawful heir to the throne. This popular notion was not based on good constitutional grounds, for it is a principle of the constitution, that “a lawful King of England, with the advice and consent of parliament, may make statutes to limit the inheritance of the Crown as shall seem fit,”* and Henry VIII. and his parliament, acting upon this principle, had disposed of the succession, so that the descendants of Mary Brandon, Duchess of Suffolk, should succeed to the throne, in default of issue from Henry’s children. At the time of Elizabeth’s death, the descendants of Mary were still living, and, although the legitimacy of Lord Beauchamp, the representative of Mary’s eldest daughter Frances, was questioned, there yet remained the

The constitutional principle of succession to the throne.

* Hallam’s Const. Hist., I., 289.

children of Eleanor, Countess of Cumberland, Mary's youngest daughter. So that the house of Stuart had no sort of constitutional right to the throne. They had an hereditary right—the parliamentary right belonged to the House of Suffolk. It was probably the consciousness of this defect in his parliamentary title which induced James to magnify his hereditary right, as something indefeasible by the legislature, and to set up those notions of legitimate sovereignty and absolute right, which, being interwoven with religion, became the distinguishing tenets of the party that encouraged the Stuarts to subvert the liberties of England.* Yet James was not a usurper, for he had that title, which the flatterers of his family most affected to disdain—the will of the people,—and after his accession, it was the first measure of parliament, to declare him “lineally, justly, and lawfully, next and sole heir to the blood royal of this realm.”

2. **James's Early Unpopularity.** The King of Scots lost not a moment to take possession of his new inheritance. Visions of wealth, power, and enjoyment, floated before his imagination; he spoke of England, to his followers, as the Land of Promise; and priding himself on his kingcraft, he eagerly betrayed the high notions he had formed of the royal dignity. At first all his expectations were confirmed by the cheers of the multitudes who assembled to greet him during his progress to London, and by the sumptuous entertainments which he received in the houses of the nobility. He set out from Edinburgh on the 6th of April. On the 13th, he was at Newcastle; on the 15th, he reached Topcliffe, whence he proceeded through York, Newark, and Belvoir Castle, to Theobalds, in Hertfordshire, the residence of Cecil, which he reached on the 3rd of May. In this brief space he lost his popularity. His gait was ungraceful, and his countenance repulsive; his tongue was too large for his mouth; his legs were too weak for his body; his eyes rolled vacantly around; his apparel was negligent and dirty; his whole bearing, slovenly and ungainly. To protect himself from assassination, he wore a doublet, so thickly wadded, and so tightly fitted to his body, “that he looked like an enormous pig, ready trussed for roasting, and he could not move his limbs more than if he had been in the stocks.”† His unwillingness to be seen by the people; the haste with which he condemned a thief to death, at Newark, without trial or defence; the partiality which he showed to

James's
eagerness
to reach
London.

His
personal
appearance.

* Hallam's Const. Hist., I., 294; Bolingbroke's Dissertation on Parties, Letter II.

† White's Landmarks.

1603

Scotchmen on all occasions; the barbarous brogue in which he spoke, and his exceedingly intemperate habits, all tended to excite in his subjects the greatest disgust and ridicule. The marked antipathy which he showed to his predecessor, excited the most painful emotions. When the French ambassador ordered his suite to dress in mourning for Elizabeth, James considered it an insult, and compelled the ambassador to revoke the order; the council, therefore, spared him the mortification of attending the great Queen's funeral, by causing her to be buried before he reached the capital. As was the custom upon the accession of a new sovereign, James conferred titles and honours upon his chief supporters; but so lavishly, that a pasquinade was fixed on the door of St. Paul's, offering to teach weak memories the art of remembering the titles of the new nobility. Cecil was made Earl of Salisbury; and the Earls of Essex and Southampton recovered their titles and estates.

3. **Conspiracies of the "Bye," and the "Main."** There arose out of the intrigues which the ministers of France and Spain encouraged at this time, two conspiracies, so dark and unintelligible, that the best accounts of them are obscure and confused. The most important of them was that termed the "Bye;" but ^{The Bye.} which was also called the "Treason of the Priests," from Watson and Clarke, two Catholic priests, who were its chief promoters; and the "Surprising Treason," or the "Surprise," from the design of seizing the King's person, which formed the immediate object of the plot. The chief persons who engaged in it were, Sir Griffin Markham and George Brooke, both Catholics, the latter the brother of Lord Cobham, and the brother-in-law of Cecil. But the most mischievous parties were the two priests. Watson was induced to enter the plot by the King's apparent determination not to grant toleration to the Catholics. Brooke's motive is unknown; probably, he was Cecil's spy. Another of the conspirators was Lord Grey of Wilton, the leader of the Puritan party; but there was no connection between his conspiracy and that of the priests. His plan was, to compel the King to grant the demands of the Puritans, by presenting to him a petition at the head of a body of armed men. This was intended to be done on the night of the 24th of June, at Hanworth, between Greenwich and Windsor, where James was accustomed to stay for refreshment on his hunting excursions. The design of the priests was, to take advantage of this project, and liberate the sovereign from the hands of the Puritans, and then solicit from him liberty

of conscience, in return for their services. Grey was not at first aware of this counter-conspiracy, but his suspicions were aroused before the day arrived for his own enterprise, and he therefore postponed its execution. At this stage, Cecil's vigilance was awakened, and Copley, one of the Catholic conspirators, being arrested, discovered the whole plot.

The other conspiracy was attributed to Sir Walter Raleigh, and was called "The Main," or "The Spanish Treason." Raleigh's alleged companions were Cobham and Brooke, the former of whom had long been his political associate, and had taken part with him against the Earl of Essex. On this account they were both obnoxious to James. Cobham was jealous of Cecil, while Raleigh had been deprived of his valuable patent for the monopoly of licensing taverns and retailing wines, and of his post of captain of the guard. When the conspirators of the Bye were arrested, Raleigh was examined by the council touching Cobham's private dealings with the Count d'Aremberg, the Austrian ambassador. His answers were satisfactory, and he was dismissed. But this did not lull his misgivings, and he forthwith wrote a letter to Cecil, saying that he suspected Cobham, and advising the apprehension and examination of La Rensie, Aremberg's agent.* A few days later, both Cobham and La Rensie were committed to the Tower, and Raleigh's fears being revived, he wrote a letter, it is said, to Cobham, detailing his examination before the council, stating that he had refused to betray him, and as it would require two witnesses to convict them of treason, begged that Cobham would be as faithful as he had been. But Raleigh, on his trial, denied having written such a letter, and the statement rested on the evidence of an old soldier and servant of his, named Kemys, who had only made it under a threat of the rack. Cobham, however, being shown Raleigh's letter to Cecil, at once accused Sir Walter of intriguing with Aremberg and the Spanish court, on which Raleigh was immediately arrested and sent to the Tower. A few days afterwards, he made an attempt to destroy himself, and thus afforded a presumption that he was conscious that something could be proved against him.†

4. Raleigh's Trial and Condemnation. In the midst of these dark transactions, the King was crowned (July 25th), the plague broke out in London, and for several months no proceedings were instituted against the conspirators. But the chief cause which delayed the trials, was the presence of Aremberg, the ambassador,

* Jardine's Criminal Trials, I., 412.

† Hallam's Const. Hist., I., 553, Note.

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who, however, left England in November, when the prisoners were immediately arraigned, Raleigh and the commoners implicated being tried in Winchester Castle, where the court was then residing. The conspirators in the Bye were all condemned upon their own confessions. The conviction of Raleigh offered a more serious difficulty; the only evidence of his guilt being the contradictory confessions of Cobham, and certain intercepted letters between Aremberg and the Austrian Court, which could not with propriety be produced.

The main points of the indictment were, that Raleigh had proposed that Cobham should go to Spain and Austria, to obtain means for placing Arabella Stuart on the throne, under these conditions:—Peace with Spain, toleration of popery, and the Lady Arabella's marriage being approved of by the Spanish King; that Cobham should return by Jersey, and consult with Raleigh, who was the governor of that island, what was to be done further; that George Brooke was then admitted into the conspiracy; that Raleigh gave Cobham a book written against the King's title, and that Aremberg, being acquainted with these designs, promised the conspirators 600,000 crowns.

Aware of the absurdity of these charges, and of the general weakness of his case, the attorney-general, Sir Edward Coke, had recourse to the grossest and most abusive language, to which Raleigh replied with a moderation and gentlemanly bearing which placed in a stronger light the attorney-general's brutality. He demanded that Cobham should be confronted with him; he appealed to the law which required two witnesses; and he offered to abandon his defence, if Cobham would even dare to accuse him to his face. This bold challenge he was able to make with confidence, for he produced a letter from Cobham, written a fortnight before, entirely exculpating him of any treason whatever. But Coke hereupon produced another letter from Cobham, written only the day before, declaring that Raleigh had promised to furnish intelligence to Spain for a yearly pension. The reading of this letter dismayed the prisoner, who, as soon as he had recovered himself, admitted that there had been some talk of such a pension, but nothing further. This admission made a most unfavourable impression upon the jury, who reluctantly returned a verdict of guilty. Hitherto Raleigh had been an unpopular man, because of his proud and overbearing disposition; but his trial produced a complete change. The eloquent defence which he made won the admiration of his bitterest opponents; and, with the exception of

Cecil and the court faction, who dreaded his wonderful wit and abilities, there was hardly a man in the realm but would have petitioned for his pardon. The Lady Arabella Stuart. Fate of the Lady Arabella Stuart. Stuart was present at this trial, and was declared innocent of any participation in the conspiracy; but she was afterwards imprisoned for secretly marrying William Seymour, son of Lord Beauchamp; and attempting to escape, was captured and committed to the Tower, where she died under the rigour of her confinement (1615). Brooke and the two priests were condemned and executed; Cobham, Grey, and Markham were brought to the scaffold, where, after "a theatrical mummery"* had been gone through, they were reprieved. Markham and two others were banished; Grey died in the Tower eleven years afterwards; and Cobham, being discharged after some time, died in poverty (1619). Raleigh remained in prison.

5. The Hampton Court Conference. While James was on his way to London, the Puritan clergy presented to him the famous "Millenary Petition," so called because of its having been signed by nearly a thousand persons. The Millenary Petition. Disavowing all motives of faction and desire of a dissolution of the ecclesiastical state, they humbly desired the redress of certain abuses, and asked for a conference, which was held in January, 1604, at Hampton Court. On the one side were about eighteen bishops and high dignitaries of the church, and on the other were four leaders of the reforming party, Drs. Reynolds and Spark, professors of divinity at Oxford, being two of them. The King presided.

The chief business was done on the third day, when the Puritans demanded, among other things, that the Prayer Book should be revised; that the cap and surplice, the sign of the cross in baptism, baptism by women, confirmation, the use of the ring in marriage, the reading of the Apocrypha, and bowing at the name of Jesus, should be set aside; that non-residence and pluralities, and commendams held by bishops, should

Puritan demands for a further reformation.

* In order to prove the alleged existence of the plots, James hit upon a strange and cruel device. Markham was led forth to suffer, and had already prepared himself for the block, when he was ordered away, to have two hours more for private devotion. Grey was then allowed to leave his cell. He confessed his guilt; and when on the point of falling on his knees, was told that he had been brought forward by mistake, and that it was Cobham's turn to die before him. Cobham now followed, made his confession, and prepared for death. But at that moment his companions, whom he believed to be dead, were separately brought up again; and all the three, we are told, stared at each other with looks of the wildest astonishment. This device may be taken as one example, out of many that might be given, of King James's idea of statecraft, in which he thought himself so complete a master.

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not be allowed ; and that unnecessary excommunications, and the obligation of subscribing to the Thirty-nine Articles, should be abolished. None of these demands were inconsistent with an established hierarchy, and they were such reformatations as men like Bacon and others, not at all connected with the Puritans, desired to see effected.*

The Bishops of London and Winchester, and some of the deans, spoke vehemently against these proposals, and, after they had sat down, James took up the argument himself. Never, says a popular writer,† did royalty display itself in a more undignified manner, or episcopacy degrade itself more by a servile flattery of royalty. James had a long-standing debt to settle with the Puritans, for they had not only been the main cause of his unhappy mother's defamation and ruin, but their sympathisers in Scotland, the Presbyterians, had harassed him perpetually, and degraded and humiliated him continually. Up to 1590, he had fallen in with the views of the Kirk, and, in the general assembly at Edinburgh, had publicly thanked God "that he belonged to the purest kirk in the world." But James was "rather a bold liar than a good dissembler;"‡ and from 1596, when he began to have a clear prospect of his succession to the English throne, his opinions turned decidedly towards episcopacy. In 1599, he wrote a book, called *Basilicon Doron*, for the instruction of his son Henry, in which he scurrilously abused the Presbyterian system. The fact is, that the episcopal establishment promised him that obsequiousness which he was so delighted to receive, and to which he had been so little accustomed ; and the zeal with which the bishops afterwards sought to enhance his prerogative, gave rise to his well-known aphorism, "No king, no bishop." James's mind, therefore, had been made up long before he summoned the Hampton Court Conference. Dr. Reynolds, "nearly, if not altogether, the most learned man in England,"|| was hardly permitted to speak, and the result of the conference was, that not only were few alterations made in the service, but as these were not such as were demanded by the Puritans, and James made them without consulting the bishops, they pleased no party. A proclamation was published, enforcing conformity, and Bancroft, of London, who, about this time, succeeded Whitgift in the primacy, so severely carried out the royal injunction, that he expelled three hundred

James's
feelings
towards the
Puritans.

A royal
proclamation
is published
to enforce
uniformity.

* Hallam's Const. Hist., I., 298.

‡ Hallam, I., 297, Note.

† Knight's Pop. Hist., II., 314.

|| Hallam, I., 297, Note.

clergymen from their livings, for not observing the prescribed order of Common Prayer. But this was not all; ten of the leading men who had presented the Millenary petition were arrested; the judges in the Star Chamber declared their presentation of that petition an offence fineable at discretion, and very near to treason and felony, and they were all committed to prison. Such were the beginnings by which the House of Stuart indicated the course they would steer, and thus was thrown away the best opportunity that had ever presented itself for healing the wounds of the Church of England.* One benefit, however, resulted from the conference, viz.:—the present authorised translation of the Bible, which was begun in 1607, and completed in 1611.

Authorised
version of
the Bible
published.

6. **James's first Parliament.** In a few days, James met his first parliament (March 19th, 1604), with the most flattering anticipations. He opened the session with a gracious speech. But there was already, in the Lower House, a formidable party marshalled against him, whom he had, even thus early, alienated from his government, and whose animosity was sharpened by the proclamation with which parliament had been summoned.

Royal pro-
clamation,
interfiring
in parlia-
mentary
elections.

After dilating, in his usual bombastic style, upon a series of common-place truths, James had prescribed the sort of men who were to be chosen by the people as their representatives, and, among other directions, had given orders that no bankrupts or outlaws should be elected; that all returns were to be filed in chancery; and that, if any town elected a person contrary to the proclamation, the town was to be fined, and the person elected fined and imprisoned. Such an assumption of control over parliamentary elections the Commons were deter-

Right of
the house
to decide
contested
elections.

mined to resist. Sir Francis Goodwin had been returned for Buckinghamshire in opposition to Fortescue, a member of the council, and the writ filed in chancery. But Goodwin was an outlaw; his election was, therefore, declared null and void, and a new writ being issued, Fortescue was returned. The Commons then voted that Goodwin had been duly elected, on which the King told them that they had no business to meddle with election returns; and that all their matters of privilege were derived from him and his grant. He then commanded them to confer with the judges; but after a warm debate it was unanimously agreed not to obey this order, on which James commanded the house, "as an absolute King," to hold the said conference. It was

* Hallam, I., 296-298.

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then decided that both elections should be set aside, and a new writ issued. By this compromise, the Commons were victorious; for James conceded that their house was a court of record and judge of returns; the speaker, by order of the house, issued his warrant for the new writ, and the Commons have ever since continued to exercise, without dispute, the right which they claimed, of deciding upon the merits of contested elections.*

Another privilege which the Commons defended during this session was, that which gave them freedom from arrest for debt during the session. Sir Thomas Shirley, a member, having been imprisoned in the Fleet for debt, was, after some trouble, released, and to save the warden of the Fleet from being sued by the creditors for allowing him to escape, an act was passed, giving creditors power to arrest a member for debt, after the expiration of parliament, and discharging from liability those out of whose custody such member should be delivered. A special clause distinctly maintained that the house has a right to punish any person who should violate this privilege of parliament.†

Freedom
from
arrest.

The two principal grievances in the civil government were, purveyance, and the incidents of military tenure. The Commons asserted in their petition that the former had been restrained by not less than thirty-six statutes, yet, in spite of these, carts and carriages were impressed for the King's use, and victuals were exacted for his household at prices far below the true value, and in larger quantities than were necessary; and those who resisted were imprisoned under the warrant of the Board of Green Cloth.‡ The purveyors even went so far as to live at free quarters upon the country; they felled trees without the owner's consent; and they compelled men to labour for little or no remuneration. The old feudal prerogative of guardianship in chivalry was attacked by the Commons with still more bitterness, because it was known that Cecil derived a goodly income from it. Its consideration was referred to a committee, in which Bacon, then a rising statesman, took an active share. But nothing was done by the committee, the matter being considered unseasonable in the King's first parliament. Indeed, none of the grievances complained of were redressed. The Commons, therefore, showed little disposition to grant a subsidy, and the bill which they had passed, granting tonnage and poundage for life, was burdened with

Complaint
against
purveyance
and feudal
exactions.

* Hallam, I., 301-302; Lingard, IX., 27, Note. † Hallam, I., 303.

‡ A court of the King's household for keeping the peace, &c., within the verge of the palace, composed of the lord-steward, comptroller, &c., and so called from the green cloth which covered the table.

so many reservations, that James was offended, and he expressly desired them not to enter upon the business of a subsidy,

7. The first serious Conflict between King and Parliament. These causes of dissatisfaction, together with others regarding ecclesiastical matters, so much annoyed the King, that he seems to have expressed his opinions very strongly, in a speech to the Commons, to which they replied by their celebrated vindication called "*A Form of Apology and Satisfaction to be delivered to his Majesty.*" Several years before James came to the English throne, he had published

a discourse on "The True Law of Free Monarchies," in which he had stated in the broadest terms, that the duty of a king was to command, and that of a subject to obey; that kings reigned by Divine right, and were raised by the Almighty above all law; that a sovereign might daily make statutes or ordinances, and inflict such punishments as he thought meet, without any advice of parliament or estates; that general laws made publicly in parliament may be mitigated or suspended by the king, upon causes only known to him; and that, "although a good king will frame all his actions to be according to the law, yet he is not bound thereto but of his own-will, and for example-giving to his subjects."* These principles, so totally inconsistent with the foundations of national freedom, the Commons determined to combat; and, therefore, before they separated, they resolved to leave on record their solemn opinions, in the form of a justification of their proceedings.

Famous
"Apology"
of the
Commons.

The King had affirmed, they said, owing to the information which had been "openly delivered to him,"

(1) That their privileges were not of right, but of grace only, renewed every parliament on petition.

(2) That they were not a court of record, and had no power to command a view of records.

(3) And that the examination of election returns was without their compass, and belonged to the Court of Chancery.

These assertions, they said, tended directly to the utter overthrow of their privileges, and of the rights and liberties of England, which they and their ancestors had undoubtedly enjoyed from time immemorial. In order, therefore, that their protestations against these principles might be recorded to all posterity, they maintained

(1) That their privileges and liberties are their right and inheritance, no less than their very lands and goods.

(2) That they cannot be withheld from them, denied, or impaired, but with wrong to the whole realm.

* Hallam, I., 299.

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(3) That their petition, at the opening of each parliament, to enjoy their privileges, is only an act of manners, which does not weaken their right.

(4) That their house is, and always has been, a court of record.

(5) That parliament is the very highest court in the land, and that, with the King's consent, it gives law to all other courts, but from other courts receives neither laws nor orders.

(6) That the House of Commons is the sole proper judge of election returns, as, otherwise, elections would not be free.

(7) And, finally, with regard to their endeavours to obtain redress of religious and public grievances, they state, in the clearest terms, that the Kings of England have no more absolute power in themselves to alter religion, or to make laws concerning it, than they have to make laws regarding the temporal state; but that, in both, they are bound to act with the consent of parliament.

"Such," observes our great constitutional historian, "was the voice of the English Commons, in 1604, at the commencement of that great conflict for their liberties which is measured by the line of Stuart."*

8. Religious Persecutions. While the parliament was thus engaged, the convocation had been drawing up a Code of Ecclesiastical Canons, amounting to 141.

They declared the sentence of excommunication, *ipso facto*, against all persons who denied the King's supremacy, or the orthodoxy of the established church; who affirmed that the Prayer Book was superstitious or unlawful, the Thirty-nine Articles erroneous, or the Liturgy repugnant to God's Word; or who separated from the church and established conventicles, or asserted that ecclesiastical regulations might be made without the royal consent.

By this sentence of excommunication, all Nonconformists were at once deprived of their civil rights, and an unwarrantable authority was set up over the whole nation, which instantly drew the attention of parliament. A bill was brought in, declaring no ecclesiastical regulations binding, except by consent of parliament; but it did not reach a third reading.

The Puritans are excommunicated by convocation.

The Commons, however, in their Apology, distinctly stated that such regulations were unconstitutional; and it has ever since been laid down by the judges in Westminster Hall, that the canons then made do not bind the people so long as they have not the approbation of parliament. As soon, however, as the canons were published, Archbishop Bancroft at once began to enforce them. But the Nonconformists did not tamely submit; they held meetings; they petitioned; they called upon their friends in the council for aid. But all was in vain. The petitioners were punished, while the dissenting ministers were ejected from their livings, and imprisoned.

* Hallam. I., 305-307.

But these persecutions were light, compared with those which pressed upon the Roman Catholics. There were few of their families who had not suffered more or less by the persecuting laws enacted against them. Sir Thomas Tresham, father of Sir Francis Tresham, one of the conspirators in the Gunpowder Plot, had been converted to Rome by Campion and Persons in 1580, and from that time became a most uncompromising adherent of the Romish church. He was, therefore, a constant subject of persecution. He was imprisoned in the Fleet for several years, and heavily fined, because he would not betray Campion; he was repeatedly imprisoned after this in many other places; and, for more than twenty years, he constantly paid into the treasury £260 per annum, the penalty of £20 a month for recusancy. Edward Rookwood, cousin of Ambrose Rookwood, another of the conspirators, only a few days after he had splendidly entertained Queen Elizabeth at his mansion at Euston Hall, in Suffolk, was committed to prison for "obstinate papistry;" and, after being reduced to beggary, he died in gaol.

This was the miserable condition of the laity; that of the priests was far worse. They were literally hunted down; they lived in a state of perpetual concealment and terror; they went about disguised, wandering by lonely roads from house to house, secreting themselves in woods and caverns, or in the subterranean vaults or intramural chambers with which the chief Catholic houses were furnished; and private families were often disturbed in the dead of the night by armed bands clamorously demanding admittance, that they might search for Jesuits and priests. This dreadful state of insecurity and alarm in which the English Catholics were placed by the penal laws of Elizabeth, was not altered on the accession of James. For many obvious reasons, the Catholics looked forward with hope to his accession; indeed, they had received from him, before he came to the throne, express assurances of toleration; and even after his accession, one of the first acts of the Privy Council, was to send for the chief Roman Catholics, from various parts of the country, and assure them of his majesty's grace and favour. In confirmation of which, the fines for recusancy were actually remitted for the next two years. But in 1604, when King James found himself firmly seated on the throne, the persecuting laws were revived, and actively enforced; the fines which had been neglected were suddenly demanded, so that numerous families were reduced to utter ruin. But this was not

A bitter
persecution
of the
Roman
Catholics.

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all. James had brought with him from Scotland many needy adventurers, on whom he unscrupulously bestowed the lands and goods of recusants, authorizing each of them to proceed against some particular recusant named, and levy the penalties as best he could. This insult and injustice was followed up by an act of parliament, disabling any one who had been educated in a Catholic seminary abroad, from holding any lands or goods in the King's dominions, and entirely depriving the Catholics of all means of educating their children, except in the Protestant faith. Such were the provocations which led to

Their lands
are seized
and given
to the
King's
favourites.

9. **The Gunpowder Plot.** The original contriver and promoter of the Gunpowder Treason was Robert Catesby, the lineal descendant of William Catesby, the favourite of Richard III. His family had for several generations been settled at Ashby St. Legers, Northamptonshire, and was also possessed of considerable property at Lapworth, in Warwickshire. His father had been converted to Rome by Campion and Persons, and had several times been imprisoned for his recusancy; but he himself had abandoned the ancient worship on his father's death, and had given himself up to folly and extravagance. He afterwards returned to the faith in which he had been educated, and became a religious fanatic, devoting himself from that time to the task of making proselytes, and rescuing his brethren from the iron yoke under which they groaned. The first person to whom he disclosed his scheme of blowing up the parliament house with gunpowder, was Thomas Winter, of Huddington, in Worcestershire, who had served abroad as the agent of the Spanish party in England (March, 1603-4). Winter was struck with horror at the proposal; but Catesby's reasoning prevailed, and it was agreed that before the project was carried out, a last attempt should be made to obtain the repeal of the penal laws, by soliciting the mediation of Spain. For this purpose, Winter went over to Bergen, near Dunkirk, and there had a private conference with Velasco, the constable of Castile, then on his way to England for the purpose of concluding a peace. The ambassador gave him general assurances of goodwill, but nothing more; and Winter then went to Ostend, where he met with Guido Faukes, a gentleman of good family in the city of York, at that time a soldier of fortune in the Spanish army. These two returned to England in April. In the meantime, Catesby had laid the plan before two others, Percy and Wright. Percy was a distant relation and steward to the Earl of Northumberland, and had been employed as one of the

its
originators.

agents in Scotland, whom the English Catholics sent to conciliate James, and obtain from him promises of toleration. Wright was his brother-in-law; both of them had engaged in Essex's rebellion, and both of them had been converted to Rome, and had therefore been subjected to harassing persecutions. These five conspirators all swore to be true to each other; and they received the sacrament in confirmation of their oath from the hand of the Jesuit missionary, Father Gerard (May 1st, 1604).^{*} They still entertained the hope of obtaining a relaxation of the penal laws, especially as the negotiations for a peace between England and Spain were advancing to a friendly conclusion. But Velasco did not evince any great anxiety on their behalf, and instead of granting toleration, James ordered that the penal laws should be more rigidly enforced (August, 1604). This drove the conspirators to desperation. An empty house which lay ^{Their first operations.} contiguous to the old Palace of Westminster, had already been taken by Percy, and given into the custody of Faukes, who assumed the name of Johnson, Percy's servant. For three months they were kept out of possession by the commissioners for a projected union between England and Scotland. About the middle of December, they began operations; Faukes keeping watch while three of his companions worked, and the fourth slept. A fortnight thus passed, when parliament, which had been prorogued to the 7th of February, was further prorogued to the 3rd of October. On this they gave up further mining operations, and went to their respective homes. In the meanwhile, Catesby had begun to suspect the faith of his colleagues in the lawfulness of their enterprise. Was it lawful to punish the innocent with the guilty? they asked themselves; and to quiet their consciences, he had recourse to Garnet, the Jesuit. But whether the latter was acquainted with the plot, or whether he was questioned upon the abstract principle alone, is uncertain.[†] However, Catesby soon afterwards admitted a brother of Wright's, and a brother of Winter's, to the conspiracy, and towards the end of January the seven resumed their labours. There was a thick stone wall which for some time impeded their operations, and they were afraid to go below it, lest they should be inundated by the river. The workings of conscience on their minds also obstructed their progress, and unearthly sounds of the tolling of a bell, which ceased only when they sprinkled the walls with holy water, greatly terrified them. One day, a rushing noise above them excited their

^{*} Lingard, IX., 36; Jardine's Criminal Trials, II., 34. [†] See Lingard, IX., 39.

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alarm; but the present discovery that it came from a cellar overhead turned their alarm into joy: they abandoned their mine; Faukes hired the cellar at once; and, under the cover of night, they conveyed into it several barrels of gunpowder, which had been secreted for some time in a house at Lambeth. They concealed the barrels under stones, billets of wood, and household furniture; and having now completed their preparations (May, 1605), again separated, intending to re-assemble in September. As the time approached, Catesby added to the number of his accomplices; Baynham, a gentleman of Gloucestershire, a profligate man, who had been the leader of an infamous club, called "The Damned Crew," was sent to the Pope; while Grant, of ^{New con-} Norbrook, in Warwickshire, Ambrose Rookwood, of ^{spirators.} Coldham Hall, Suffolk, Sir Everard Digby, of Gotehurst, in Bucks, and Francis Tresham, of Rushton, in Northamptonshire, were received into the confederacy, for the purpose of supporting a military rising (September). About the same time, Faukes went over to Flanders to obtain Spanish aid. The plan of operations was now finally arranged. A list of peers and commoners ^{The plot.} to be served by a timely warning was made out; Faukes was to fire the train, and immediately escape to Flanders, Tresham undertaking to hire a vessel for his use; Percy, who had access to the palace as a gentleman pensioner, was to obtain possession of Prince Charles, and convey him to the general rendezvous at Dunchurch; while Digby and his associates there assembled, under the pretence of hunting on Dunsmoor Heath, were to seize the Princess Elizabeth, at Lord Harrington's, near Coventry. Catesby undertook to proclaim the heir apparent at Charing Cross; a declaration abolishing monopolies, wardship, and purveyance was to be issued, and a protector appointed. At this juncture, Garnet the Jesuit, and Greenway, another Jesuit, were informed of the whole scheme, *in the confessional*. In the meantime, parliament had been prorogued from the 3rd of October to the 5th of November. Tresham had begun to repent of his share in the plot, if he had not, as has been surmised, already revealed it to the government.

The circumstances under which Lord Mounteagle received the celebrated letter, which has been usually considered as the first intimation of the conspiracy which the government received, seem to confirm this suspicion. That nobleman, to the surprise of his family, suddenly ordered supper to be prepared for him at his house at Haxton, where he very seldom

<sup>The letter
to Lord
Monteagle.</sup>

resided (October 26th). While he sat at table, the letter was brought to him by one of his pages, and read aloud by Thomas Ward, a gentleman in his service. Ward, who was probably one of the conspirators, next day informed them of their danger, and advised them to fly; while Tresham had not only offered this advice already, but two days afterwards came up to London from Northamptonshire, expressly to urge Catesby and Winter to escape, and even offered to support them abroad. So that the common story, which says that the letter was not understood, till the sagacity of King James discovered its meaning, is a simple fiction, and the whole proceeding seems to have been a device for the purpose of screening the actual informer.* That Lord Mounteagle also knew of this conspiracy, before the receipt of this letter, seems equally clear; in fact, Winter, in his subsequent examination before the council, plainly charged him with being privy to the conspiracy. The government, however, was extremely careful of that nobleman's reputation, and in a State Paper still extant, containing an account of the examination of Tresham, Lord Mounteagle's name has been carefully blotted out, and a small slip of paper curiously pasted over the place.†

On the 31st of October, the King returned from Royston to London, and the next day the letter was laid before him and the council. Ward, apprised of all the government proceedings by Lord Mounteagle, warned the conspirators, but they disbelieved all the revelations made to them, and resolved to await their fate. Faukes alone, with that extraordinary courage which he had displayed throughout the transaction, took up his solitary station at the cellar, on Sunday, the 3rd of November. Next day, the lord chamberlain and Lord Mounteagle visited the place, as if by accident, and seeing Faukes, carelessly remarked that there was an abundant provision of fuel. This warning was lost on the determined mind of the conspirator; he was resolved to stay till the last moment, and on the first appearance of danger, to fire the mine, and perish in the company of his enemies. A little after midnight, Faukes, booted and spurred, ready for instant flight, having finished his last preparations in the vault, was stepping out of the door, when he was instantly seized by Sir Thomas Knevet, a magistrate, and a party of soldiers. Slow matches and touchwood were found upon his person, a dark lantern was discovered behind the door, and the cellar was found to contain thirty-six barrels of powder, concealed beneath billets of

Arrest of
Guy
Faukes.

* Jardine, II., 62-67. † Ibid, 67, Note.

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wood. At four o'clock that morning, Faukes was examined by the King and council, but he refused to disclose anything, and was then sent to the Tower. In the meantime the conspirators had repaired to the rendezvous at Dunchurch; here they found themselves deserted by all their friends, and they escaped in haste towards Holbeach, near Stourbridge, the residence of Stephen Littleton, one of their new associates, where they resolved to await the arrival of their pursuers. But Digby and Littleton fled in the night, and were captured, the first at Dudley, the other at Hagley. Many others also escaped during the confusion caused by an explosion of gunpowder, in the midst of which, those who remained were surprised by the sheriff of Worcestershire, and either captured or slain. Among the latter were Catesby, Percy, and the two Wrights; eight only were taken, all of whom suffered on the scaffold (January 30th, 1606). Of the three Jesuits who were implicated, Gerard and Greenway escaped to the Continent; but Garnet was discovered at Hendlip House, Worcestershire.*

The meeting at
Dunchurch

Garnet
arrested at
Hendlip
House.

Two servants of the priests were taken at the same time, and all, except Garnet, were racked; but they revealed nothing, and one of the servants killed himself in dread of further torture. The gaoler then affected kindness toward the two priests, and gave them access to each other. But all their conversation was overheard by Cecil and others, who had secreted themselves in the walls; by which facts were obtained which proved that Garnet had some knowledge of the general scope of the plot. On the information thus obtained, he was brought to trial, and condemned to death. In his examinations, he had first denied that he had ever conversed with Oldcorne in prison; but afterwards he confessed it, and, in extenuation of his falsehood, said that no man was bound to betray himself, and that, where the acknowledgement of a fact might endanger life, it was lawful to deny it, with equivocation, till it should be proved by direct evidence; and, upon further examination, he declared that an oath might

* This house, which had been built by Thomas Abingdon, brother-in-law of Lord Mounteagle, and a decided recusant, was in every way adapted for the concealment of Jesuits and Papists. There were staircases concealed in the walls; hiding places in chimneys; trapdoors; double wainscots. The entrance into the chamber where Garnet lay concealed was from an upper room through the fire-place; the wooden border of the hearth was made to take up and put down like a trapdoor, and the bricks were taken out and replaced whenever the door was used. The officers were eight days in searching the house before they discovered this retreat, during which, Garnet and Oldcorne, a priest who was secreted with him, were fed through a reed with broths and warm drinks, the reed being inserted in an aperture in the chimney of an adjoining chamber, which backed the chimney in their hiding place.

be lawfully used, to confirm such equivocation. "To these and similar avowals," says Lingard,* "I ascribe his execution. By seeking shelter under equivocation, he had deprived himself of the protection which truth might have afforded him; nor could he, in such circumstances, reasonably complain if the King refused credit to his asseverations of innocence, and permitted the law to take its course." Garnet's opinions were not shared by the majority of the Roman Catholics, any more than they approved of Catesby's murderous project; yet the government availed itself of the opportunity to extend the existing sanguinary and oppressive enactments under which the papists suffered. New penalties were inflicted upon the Catholics, in all their several capacities of masters, servants, husbands, parents, children, heirs, executors, patrons, barristers, and physicians.

Increased
severities
upon
Roman
Catholics.

They could not appear at court, nor live within ten miles of the city of London; and on no occasion could they move more than five miles from their homes without a written licence, signed by four magistrates. They could hold no offices of trust, either public or private; their marriages, unless solemnised by a Protestant minister, were of no account in law; and if their children were not baptised or buried by a Protestant minister, they were fined for the first £100, for the second £20. Their children who were educated abroad were deprived of their rights of inheritance; every Roman Catholic was outlawed, all the penalties for absence from church were extended, and a new oath of allegiance was devised in order to ascertain those who admitted the temporal pretensions of the Pope.

The standing argument throughout the seventeenth century for this denial of liberty of conscience, and for all these persecuting enactments, was the Gunpowder Treason, whose traditions lingered on through the eighteenth century to support the same oppressive tyranny. But happily for our own day, these traditions now scarcely survive even in popular prejudice, because, with the spread of knowledge, there has grown up a spirit of charity and justice; we have ceased to prosecute or exclude for religious opinions, and we have therefore, nothing to fear from a fanatic like Catesby, or a casuist like Garnet.†

10. Proceedings in Parliament, 1606-1611. The chief object for which the parliament had been summoned to meet in November, 1605, was to supply the royal coffers, the King

Session of
1606-7.

* History, IX., 67.

† Knight's Pop. Hist., III., 337.

1606-1610

not having, as yet, received any subsidy. In November of the following year the Houses re-assembled, when James's favourite scheme of a perfect union between England and Scotland was debated. But beyond the abrogation of the laws which treated the Scots as foreigners and enemies, nothing was done in this respect, although the matter had been discussed in 1604, and was again considered in 1607 and 1610. During the conferences, however, which James held with the parliament, it was decided by the judges that all persons born under the King's obedience were, by that very circumstance, naturalised in all places under his dominion at the time of their birth (1608).

Proposed
union of
England
and
Scotland.

The time of this session was mainly occupied in bickerings between the King and the Commons on matters of privilege. The government was jealous of any interference of the Commons in the conduct of public affairs. This was particularly shown with respect to the peace made with Spain in 1604. The terms of this treaty were unsatisfactory. Spain claimed the exclusive navigation of the southern seas, and treated all English vessels found there as pirates. In 1607, the merchants complained to the Commons of the grievances they thus endured; the Commons prayed for a conference with the Lords on the subject, and when the conference was held, Cecil and the Earl of Northampton spoke against the interference of the Commons in so high a matter. The latter apparently acquiesced in this rather contemptuous treatment, though they might have produced several precedents, especially during the reigns of Richard II. and Henry VI., wherein they had assumed a right of advising in matters of peace and war.

The
Commons
shall not
interfere in
public
affairs.

Although James obtained few supplies from his parliament, he was very extravagant in his expenditure, and the lord treasurer constantly found himself in difficulties. He was not only wasteful in his own household, giving costly presents and entertainments, but he gave his children expensive establishments; and at times his poverty was so great, that he lacked provisions for his own table. The treasurer, therefore, had recourse to very illegal measures, and additional duties were arbitrarily imposed upon almost every article of foreign commerce. One of these was laid upon currants, which Bates, a Turkey merchant, refusing to pay, the Court of Exchequer gave judgment against him (June, 1609). The immediate consequence of this decision was, the imposition of heavy duties upon almost

Session of
1610.

The King's
extravagant
expenditure

all merchandise. But when parliament re-assembled (February, 1610), the Commons remonstrated, and two members, learned lawyers, made two elaborate speeches, proving the illegality of these impositions, when the King forbade them to dispute the right he had thus exercised, couching his commands in the most arrogant tone of despotism. Kings, he said, were the representatives and images of God, and were possessed of his attributes. The souls and bodies of their subjects belonged to them, and the denial of this power to them was as much sedition, as it was blasphemy to deny the power of God.* These high and mighty pretensions naturally excited the opposition of the Commons. They speedily remonstrated against them, and the arguments and precedents they produced in defence of the principle, that no sovereign in England can make laws or impose taxes upon the people, their goods, and their merchandise, without consent of parliament, were such, that not even the eloquence and ingenuity of Sir Francis Bacon, the solicitor-general, could overcome them. The bill, however, which they brought in to abolish the illegal impositions, was rejected in the upper house.† The session of 1610 was closed by a negotiation concerning the abolition of wardships. But neither King nor Commons could agree about the income which should compensate the crown for the loss of revenue; and, as all the abuses of monopolies, purveyance, illegal impositions, and proclamations, and the unconstitutional proceedings of the High Commission Court, still continued, the Commons refused, at last, to chaffer any further with the King, who dissolved the parliament in great disgust (February 9th, 1611). It had sat nearly seven years.

11. Disputes between the Spiritual and Temporal Courts. That the Commons had reason for their apprehensions of the crown assuming absolute power may be seen in the fact, that the pretensions which James set up were supported by all who sought his favour, and especially by the high churchmen. The canons which convocation drew up in 1606 denounced, as erroneous, a number of tenets considered hostile to monarchical power, and affirmed opinions upon the origin of government utterly destructive of the liberty of the subject, and altogether contrary to the mixed and limited monarchy of England. The object of the clergy in thus enhancing the pretensions of the crown so enormously was, to gain its sanction and support for their own claims. The ancient rivalry which had existed between

Illegal
impositions
on mer-
chandise.

The clergy
uphold the
King's pre-
tensions to
prerogative.

* Lingard, IX., 94; Aikin's Memoirs, I., 350. † Hallam, I., 315-322.

1612

the ecclesiastical and temporal courts still continued, and, as the latter retained their supremacy, and frequently prohibited the former whenever they transgressed their proper limits, Bancroft, the archbishop, presented to the court of Star Chamber (1605) a series of petitions, called *Articuli Cleri*, in which it was stated that both the temporal and spiritual courts derived their authority from the King, and that the temporal courts had no right to prohibit the other courts, except by the King's authority. But the judges, led by Coke, steadily resisted these attacks; and distinctly declared that nothing less than an act of parliament could affect the proceedings of the courts of law, or alter the established course of justice. The archbishop, however, did not choose to consult the parliament, knowing how little he had to hope from the Commons; but he did not give up his attempts.

At his solicitation, and with the King's approbation, Dr. Cowell, an eminent civilian, published a law dictionary, called "The Interpreter," in which, under the heads of "king," "subsidy," "parliament," and "prerogative," he laid down ^{Cowell's Interpreter} principles subversive of the liberty of the subject. The King was absolute, and above all law; by his prerogative he could make laws without consent of parliament, which assembled only by his grace and favour, and not by right. These monstrous statements gave very just scandal to the Commons, who showed such a determination to resist, that James found it necessary to suppress the book by a royal proclamation, and to place Cowell under arrest. By such proceedings were the Commons lawyers set against the government, and prepared for joining, in the next reign, with the Puritans in all measures of opposition to the crown.*

12. Death of Cecil. His Character and Policy. All these troubles were sources of the bitterest vexation to Cecil; his constitution sank under the depression of his spirits; the waters of Bath produced no alleviation, and he expired at Marlborough, on his return to London (May 24th, 1612). Cecil was never a popular man, and his abilities as a statesman have always been considerably underrated. He has never gained credit for the mischiefs in James's government which he prevented, while he has been made responsible for all those which he was compelled to endure. This is unjust, because in that age kings did not speak the language which their ministers dictated, nor did they adopt the policy which their ministers advised. But Cecil made himself personal enemies by his conduct towards

Cecil not
responsible
for the
King's
misgovern-
ment.

* Hallam, I., 322-325.

Raleigh and Essex, and by the honours which he acquired. It was believed that the desire shown by the House of Commons to abolish feudal wardships, proceeded in a great measure from the circumstance that he was master of the Court of Wards—an influential and extremely lucrative office. But he readily offered to abolish it. It was in his management, however, of the King's foreign relations, that he showed his greatest ability. His slow and cautious policy, the fertility with which he invented expedients to disguise his own projects, and the sagacity with which he discovered the designs of foreign courts, commanded the respect of all his rivals, and secured him the highest place in James's confidence. Having been one of Elizabeth's ministers, he retained some of her jealousy of Spain, as well as her regard for Protestant interests; and had it not been for his firmness and prudence, James would have entered into a connexion with that country, ruinous to himself and the kingdom. Owing, however, to the minister's wisdom, England inclined more to the side of the United Provinces and the King of France, than to Spain, although she preserved outwardly a strict neutrality; by her mediation the great truce of twelve years between Spain and Holland was concluded in 1609; and when the dispute concerning the succession to the duchies of Cleves and Juliers threatened to mingle in arms the Catholic and Protestant parties throughout Europe, the councils of England, guided by Cecil, were full of vigour and promptitude, and it was only the assassination of Henry IV. which prevented the immediate landing of an English army in the Netherlands, for the purpose of supporting the cause of the Protestant claimants of those duchies, against the pretensions of Austria and Spain.* Cecil's great fault was his want of constitutional principle,† a fault for which there is some excuse, when we consider that no statesman of that age was willing to admit the right of parliament to control the executive government.‡

13. Licentiousness of the Court. The King's unpopularity daily increased; and the character of his court degraded him still lower in popular estimation. He preferred the pleasures of the table, and the amusements of the chase and the cockpit, to matters of public business; foreign ambassadors, as well as his own ministers of state, seldom had the opportunity of consulting him; and the players who ridiculed his foibles on the stage, represented

* See further in Lingard, IX., 123-126. † Aikin's Memoirs, I., 395.

‡ Hallam, I., 332-333; British Statesmen, V., 173-174.

1612

him generally in a passion, sometimes cursing his hounds and his falcons, sometimes striking his servants, and drinking to intoxication at least once a day. His pernicious example gave a disgusting tone to the whole court, and in the balls, masks, and pageantries which the Queen gave, even her ladies appeared in a state of beastly drunkenness.* And yet, in the midst of all this vice, two statutes were passed; the one imposing a fine upon common drunkards, and the other, upon common swearers, and the King wrote his famous "Counterblaste to Tobacco," to suppress the growing habit of smoking. There was one in the court to whom all these Saturnalian pastimes were exceedingly odious; this was James's eldest son, Henry, whose high spirit and great popularity mortified his father. The young prince prematurely died (October, 1612), to the great sorrow of the people, but little regretted by the King, who was jealous of his abilities and virtues. After his death, James had only one son remaining, Charles, and one daughter, Elizabeth, who was married to Frederick, Count Palatine of the Rhine.

Death of
Prince
Henry.

SECTION II. FROM THE DEATH OF CECIL TO THE END OF THE REIGN. 1612-1625.

14. Ascendancy of Robert Carr. After the death of Cecil, the King gave himself up to favourites; first to Robert Carr, and next to George Villiers. Carr was equerry to Lord Hay, one of James's boon companions. An accident introduced him to the King, who taught him Latin, played familiar tricks with him, gave him large grants of land, and created him Earl of Rochester. Being uneducated, Carr made Sir Thomas Overbury, an able and accomplished scholar, his secretary. He was opposed by Howard, Earl of Suffolk, lord chamberlain, and Howard, Earl of Northampton, lord privy seal. But he soon fell in love with Frances Howard, the daughter of Suffolk, and the wife of the Earl of Essex, and he proposed that she should sue for a divorce, in order that they might be married. Overbury violently opposed the marriage, on which he was sent to the Tower; and the lady, in her fury, offered £1,000 to a gentleman, if he would take Overbury's life in a duel

Carr's
marriage
with the
Countess of
Essex is
opposed by
Sir Thomas
Overbury.

* Lingard, IX., 83, Note.

(April, 1613). When the divorce was brought into court, the King disgraced himself, by a personal interference in behalf of his favourite. The cause was granted, and the parties were shortly afterwards married, in the royal chapel, Rochester having first been created Earl of Somerset (December, 1613). The two court factions were now united; but, in the meantime, an event had occurred which considerably aggravated the King's unpopularity, and left an indelible stain on his character and reign. On the day before the Countess of Essex was divorced, Sir Thomas Overbury died in the Tower (September 15th, 1613), under circumstances so suspicious, that a public inquiry was instituted

Overbury is
murdered
in the
Tower.

two years afterwards, when Somerset's influence was on the decline, the result of which was that the earl and his countess were committed to the Tower, on a charge of having poisoned Overbury. Four persons, whom they had employed, were first tried, condemned, and executed (1615). In the following year, the countess was arraigned before the peers, when she pleaded guilty, and was sentenced to death; the day following, Somerset received the same sentence. Within

Carr and
his wife
convicted
of the
crime, and
pardoned
by the King

a few days, James, who had called upon God to curse him if he pardoned any, pardoned both of the criminals; but the earl refused to accept pardon, and threw out such insolent menaces against the King, "that it was evident he was master of some secret which it would have highly prejudiced the King's honour to divulge."* Whatever the secret was, the conduct of James, in these dark transactions, showed that he was terribly afraid of any exposure which Somerset might make; and he afterwards reversed the sentence of death against the earl, and privately renewed his correspondence with him.†

15. **Fall of Chief-Justice Coke.** The fall of Somerset was followed by the disgrace of Coke. In professional knowledge, Coke stood pre-eminent; but his notions were confined and illiberal, and his temper was proud and overbearing. He was a flatterer and tool of the court till he had obtained his ends; but no sooner was he promoted to the bench, than he assumed a tone of independence and authority which surprised the King, and provoked the hostility of his rivals. Both the lord chancellor, Egerton, Lord Ellesmere, and the attorney-general, Sir Francis Bacon, were objects of his envy; the latter had long been his rival, and their mutual hatred never ceased till each, in his turn, had satiated his revenge by the other's fall. At this time, Bacon

* Hallam, I., 352. † Ibid; Lingard, IX., 116-120; Knight's Pop. Hist., III., 365.

1613

was high in the King's favour ; and as the death or resignation of Ellesmere was daily expected, the attorney-general aspired to his office, while Coke considered that he had the prior claim. But the chief justice had given mortal offence to the King by the determined opposition he had made to the encroachments of the royal prerogative. During the session of 1610, he had declared that a royal proclamation could not alter any part of the common law, nor create any new offence, without the sanction of parliament. In the case of one Peacham, also a Puritan minister, of Somersetshire, and a notorious libeller,* Coke again stood out against the crown, declaring that it was contrary to the custom of the realm to confer with the judges privately, in order to obtain a favourable decision. A sermon against tyranny had been found in Peacham's study, on which the crown prosecuted him for high treason ; but, as the sermon had never been published, Coke said that the accusation was illegal. He gave way, however, when he found that the other judges, who had been tampered with, did not agree with him. The next transaction in which this intrepid chief justice incurred the council's displeasure, was a dispute concerning the jurisdiction of the Court of Chancery, in which he contended that the equitable jurisdiction of that court ought not to be exercised after a judgment obtained at law.

Coke
offended
the King
by his
opposition
to prerogative.

But Coke's next offence exposed him more directly to the resentment of the court. A case happened to be argued in the Court of King's Bench, in which the validity of the grant of a benefice to a bishop, to be held *in commendam*, came into question, and the counsel at the bar had disputed the King's prerogative to make such a grant. James thereupon caused Bacon to write a letter to the chief justice, directing him not to proceed to judgment. Coke requested that similar letters should be written to the judges of all the courts, which being done, they all subscribed a document, certifying that they were bound by their oaths not to regard any such letters, which were contrary to law. The King, who was then at Newmarket, went into one of the fits of rage, usual whenever his prerogative was questioned, and coming to London, he summoned the twelve judges to appear before him. After a highflown harangue, in which he spoke more loftily than ever of his supreme and imperial power and sovereignty, all the judges,

* Macaulay, Hallam, and Lord Campbell, give their account of this man, on the assumption that he was a simple, speculative, country parson, who never dreamt of exciting disaffection against the government. But Hepworth Dixon, in his "Personal History of Lord Bacon," has shown that he merited the appellation given him in the text.

except Coke, tamely submitted, and promised to stay proceedings in their courts whenever the King required them. Coke only replied that he would do what should be fit for a judge to do, and shortly afterwards he was suspended from his office and dismissed (November 15th, 1616). Through the influence of Buckingham, he was recalled in about three years to the privy council; in the parliament of 1621, and still more conspicuously in that of 1628, he became the strenuous assertor of liberty, on the principles of those ancient laws which no one knew so well as himself, thus redeeming, in an intrepid and patriotic old age, the faults of his earlier life.*

16. "The Addled Parliament." In the meantime, James had been compelled to call another parliament, which assembled April 5th, 1614. As the previous parliament had not granted any sufficient subsidies, James had had recourse to loans and benevolences. He also sold several peerages, and created a new order of hereditary knights, called baronets, who paid for their patents. These resources were all inadequate, and it became indispensable to try the temper of parliament once more. In order to secure a decided majority in favour of the court, Bacon, Sir Henry Neville, and others, undertook to superintend the elections, and draw over to the King's side those who were elected; for which reason they were called *Undertakers*. But so hostile were the people to the government, that the scheme failed. Instead of passing to the consideration of the supply, the Commons began at once to attack monopolies and impositions. In the course of a debate in the House of Lords, Neyle, Bishop of Lichfield, threw out some aspersions on the Commons, which set them in a ferment. Neyle had made himself very unpopular by his severity towards the Puritans, and by the share he had taken in the Earl of Essex's divorce. The Commons, therefore, did not fail to enlarge upon all his faults; and the end of it was, that the bishop had to withdraw, "with many tears," the offensive words imputed to him. This ill humour of the Commons disconcerted the plans of the undertakers, and exhausted the King's patience. He commanded the house to consider the supply, and threatened to dissolve the parliament unless they immediately obeyed. But the days of intimidation were now gone by; the house voted that the consideration of a supply should be postponed till a redress of grievances had been granted; on which the King hastily dissolved parliament (June 8th, 1614). It had

The King employs "Undertakers" to control the elections.

* Hallam, I., 342-349.

1592-1617

sat about two months, and had not passed a single bill; from which circumstance it was called, in the quaint language of the time, *The Addled Parliament*. The next day, the most violent and refractory members were called before the council, and five of them committed to the Tower.

17. **Affairs of Scotland.** The reformed church of Scotland, as founded by Knox, was, in reality, a religious republic. Each parish had its minister, lay elder, and deacon, who held their kirk session, or parochial assembly, for spiritual jurisdiction, and other purposes. A certain number of these assemblies, classed together, constituted the presbytery, which heard appeals, pronounced censures, and regulated the ministry. A certain

The Scotch Kirk.

number, again, of these presbyteries formed the provincial synod, which was presided over by a superintendent; and, above all, was the general assembly, composed of all parish ministers, and certain delegated elders; which was supreme on earth, and owed allegiance to none but Christ. This form of polity was set up in 1560; but it was never legally established by parliament—a fact which accounts for that independence of the state which the Scottish Church has always enjoyed. As the Roman Catholic bishops died off, they were replaced by Protestants, who were partially recognised as bishops, though they were not consecrated, and had no more power than the rest of the clergy. Led by Andrew Melville, the general assembly enjoined these bishops to resign their offices. Some refused to obey, and were backed by the court. In 1584, a series of acts was passed, restoring the episcopal government almost to its original condition; but three years later, King James annexed most of the episcopal lands to the crown, and, in 1592, the Presbyterian system was

The Presbyterian system is fully established by act of parliament.

fully established by act of parliament. The government had been driven to these proceedings by the fierce demands of the people for a Presbyterian establishment. The Scottish ministers who followed Knox were, like their great master, men of a bold and untameable character; they were acute in disputation, eloquent, learned, and intensely zealous; and they wielded the people at will. Their republican system of government led them to discuss the authority of the civil magistrate, and to inculcate principles of resistance to unjust and despotic sovereigns in their pulpits as well as in their assemblies; they perpetually remonstrated against the misgovernment of the court, and the personal failings of the King; and, in 1584, when Andrew Melville was summoned to appear before the council, to answer for some language

he had used in the pulpit against the King, he refused to submit, because he said he was not responsible to the council for what he said in the church. James, however, and his counsellors, were not so feeble as to endure such arrogant pretensions; Melville was forced to fly to England, and a parliament which met in the same year, passed a series of statutes, which made the general assembly altogether dependent upon the crown. But in 1592 the government was compelled to establish the Presbyterian system, and this victory of the kirk brought on a new crisis in 1596. Black, a minister of St. Andrew's, violently attacked the King and Queen in the pulpit; he was summoned to appear before the council, but like Melville, he refused to obey. The council of the church* took his part, on which James ordered the members of the council to retire to their several parishes. But they refused, saying they met by the warrant of Christ, and should not obey man. In this emergency, James had recourse to his parliament, which ordained that every minister should submit to the government in all matters; that no ecclesiastical assembly should meet without his consent, and that any minister reflecting in his sermons upon the King, should be imprisoned. James prevailed upon the general assembly to assent to these enactments, and he caused an act of parliament to be passed, by which episcopacy was partially restored (1598). After his accession to the English throne, he proceeded to extend and secure what he thus gained. In 1606 the bishops were restored to a part of their revenues; they were declared perpetual moderators of the provincial synods; and in 1610, three of them repaired to England, to receive episcopal ordination from the English bishops, that they might impart it to their colleagues. Episcopacy was now completely restored; a Court of High Commission was created, on the English model; and in 1617, when James visited Scotland, he compelled the general assembly to pass an act, authorising the composition of a book of common prayer, and a code of ecclesiastical law, and to adopt what were called the *Five Articles of Perth*, which directed, that the Eucharist should be received kneeling; that the sacrament should be administered to the sick at their own homes; that baptism should be administered at home, when necessity required; that the great festivals should be observed after the manner of the English Church; and that bishops should administer confirmation.

Partial
restoration
of
episcopacy.

The Five
Articles of
Perth.

* This council was a standing committee which had lately been appointed by the General Assembly.

1605

These articles were quite sufficient to alarm a nation fanatically abhorrent of every approach to the Roman worship, and already incensed by what they deemed the corruption and degradation of their church. As soon, therefore, as James had left Scotland, the general assembly loudly objected to the articles, and to everything they had been compelled to adopt. A service book was, however, compiled by Laud, the King's chaplain, in which all the variations from the English Prayer Book had a Romish tendency;* and the parliament passed an act (1621) enforcing the articles, the new discipline, and the new liturgy. Here James stopped, for he began to be afraid of rousing the stern, uncompromising temper of his countrymen. But, in truth, he had done that already; for his unhappy innovations gave rise to the National Covenant, and tended to subvert, in the course of a few years, that throne which they were meant to uphold.†

18. *Affairs of Ireland.* In Ireland, the accession of James was hailed as the opening of a new era of civil and religious peace. As he claimed his descent from Fergus, the first King of Scots in Albion, and Fergus was sprung from the ancient Kings of Erin, the aboriginal Irish were willing to pledge their obedience to him, while the Roman Catholics entertained large expectations from the son of Mary, Queen of Scots. Thus there were many advantages in favour of a final establishment of the English power upon the basis of equal laws and civilized customs. James's reign is, therefore, the most important in the history of Ireland, and that from which the present scheme of society in that country is chiefly to be deduced.

Presuming upon their opinions of the King's favour towards them, the Roman Catholics in Cork, Waterford, and other places, immediately on the death of Elizabeth, restored the ancient service, in spite of Mountjoy, the lord-deputy. But he soon reduced them to obedience; and when he left the island, he took with him the two great chieftains, Tyrone and O'Donnel, and their principal retainers. The King received them with marks of favour; Tyrone was confirmed in his titles and possessions, and O'Donnel was made Earl of Tyrconnel. These favours encouraged the Roman Catholics, and they sent over deputies to request the two earls to petition the King for the free exercise of their religion. The answer which James gave suddenly opened their eyes to the fallaciousness of the hopes they had entertained. Instead of receiving any remission or mitigation of their wrongs,

* Hallam, II., 463. † Ibid; Lingard, IX., 131-138.

they saw the Act of Supremacy and the Act of Uniformity reimposed upon them with increased rigour. These statutes were quite incompatible with any exercise of the Roman Catholic worship, or with the admission of any members of that church into civil trusts. In 1605, a proclamation was issued, ordering all priests to quit the realm, under penalty of death; an order was sent to the magistrates and principal citizens of Dublin, to attend the Protestant service, and those who refused were fined and imprisoned. The gentry of the Pale remonstrated against these proceedings, and they petitioned the council for freedom of religious worship. But by an unfortunate coincidence, their petition was presented to the council on the very day that the Gunpowder Plot was reported to the Irish government; the chief petitioners were therefore confined in Dublin Castle, and their spokesman, Sir Patrick Barnewell, was sent to England, and imprisoned in the Tower. To allay the discontent occasioned by this act of oppression, James issued a commission of graces, by which fines for absence from church, and the administration of the oath of supremacy to all who came into the possession of lands, were suspended, the exaction of church fees from recusants was forbidden, and a pardon offered to all who would sue for it. These indulgences were intended to prepare the way for the plan which was now carried out, of introducing into Ireland English customs and laws, and abolishing those of the natives.

Further introduction of English laws and customs.

Sheriffs were appointed throughout Ulster, and judges of assize sent round, one of them being the celebrated lawyer and poet, Sir John Davies; the territorial divisions of counties and baronies were extended to the few districts that still wanted them; the ancient customs of tanistry and gavelkind were abolished, and Irish estates made descendible according to the course of common law; the Irish lords surrendered their estates to the crown, and received them back by the English tenures of knight service or socage; an exact account was taken of the lands each of these chieftains possessed, that he might be invested with none but those he occupied; while his tenants, exempted from those uncertain Irish exactions* which were the sources of their servitude and misery, were obliged to pay no more than an annual quit rent, while they held their lands by a free tenure (1605).

Thus, after four centuries of lawlessness and misgovernment, Ireland at last had a prospect of good and peaceful government. But there were two unhappy maxims which debased the motives and discredited the policy of the enlightened statesmen who brought about such a beneficial state of things. These were, first, that none but the true religion, *i.e.*, the state's religion, could be

* Lingard, IX., 143, Note.

1612

supposed to exist in the eye of the law ; and second, that no pretext could be too harsh or iniquitous to exclude men of a different race or erroneous faith from their possessions.* These remarkable changes, and especially the alterations in the tenure of lands, which interfered with what they considered their territorial rights, aroused the Earls of Tyrone and Tyrconnel to make one more attempt against the power of England. For this purpose, they held secret meetings in Maynooth Castle, the ancient seat of the Earls of Kildare, near Dublin, with Richard Nugent, Baron Delvin, a man who had been schooled in bitter enmity to the English from his earliest years, having been born and bred in the Tower, where his mother had voluntarily shared the imprisonment of her husband. But these noblemen soon found that they were unable to accomplish any of their schemes ; and in 1607, the two earls, with their families and retainers, suddenly set sail from Rathmulla, a small town on the west side of Lough Swilly, and in a few days landed at Quillebecque, in Normandy. From thence they proceeded to Brussels ; Tyrone afterwards fixed his residence at Rome, and became a pensioner of the Pope and the King of Spain. He died in 1616, a few years after the assassination of his son at Brussels. By the attainder and outlawry of the fugitive earls, about two million acres, comprehending almost the whole of the counties of Cavan, Fermanagh, Armagh, Derry, Tyrone, and Tyrconnel, were escheated to the crown. This circumstance laid the foundation of that great colony which has rendered the province of Ulster the most flourishing, the most Protestant, and the most enlightened part of Ireland. Gathering experience from the unsuccessful attempts which Elizabeth had made to colonise this province, James called to his aid the wise counsels of Bacon, and the extraordinary judgment, capacity, and prudence of Sir Arthur Chichester, the lord deputy. He caused surveys to be taken of the several counties, fixed upon proper places for building castles or founding towns, and advised that the lands should be assigned partly to English and Scotch settlers, partly to the servants of the crown in Ireland, and partly to the old Irish, all of whom were to be exempted from the oath of supremacy. The lands were to be distributed into three classes of 2,000, 1,500, and 1,000 English acres each, the larger lots being reserved for the crown servants, and undertakers, adventurers of known capital from England and Scotland.

Tyrone
leaves
Ireland,
and dies
abroad.

Establish-
ment of
plantations
in Ulster.

* Hallam, II., 539, and Notes.

Those who received 2,000 acres were bound within four years to build a castle and bawn, or strong courtyard; the second class within two years to build a stone or brick house, with a bawn; the third class a bawn only. The first were to plant on their lands, within three years, forty-eight able bodied men, born in England or Scotland; the others to do the same in proportion to their estates. All were to reside within five years, in person, or by approved agents, and to keep sufficient store of arms; they were not to alienate the lands without the King's licence, nor to let them for less than twenty-one years; their tenants were to live in English-built houses, and not dispersed, but in villages. The natives were bound by similar conditions, and were not to observe any Irish custom whatsoever.

By this transaction the escheated lands of Ulster were divided among 104 English and Scotch undertakers, 56 servitors, and 386 natives. The corporation of London received large grants in the county of Derry, upon their engagements to spend £20,000 upon the colony, and to build two towns, Londonderry and Coleraine. For the protection of the infant colony, a military force was considered necessary, and hence the sale of honours, and the institution of the rank of baronet, with which to provide funds. This great enterprise, however, was not carried out with all the justice which its promoters intended. The native Irish were not fairly dealt with by the colonists, and by those undertakers whom England continually sent forth to enrich themselves, and maintain her sovereignty. Pretexts were sought to establish the crown's title over the possessions of the Irish, and this through a law which the latter had but just adopted, and of which they were entirely ignorant; juries refusing to find the crown's title were fined by the council; surrenders were extorted by menaces; many were dispossessed without any compensation, and sometimes by gross perjury, or barbarous cruelty. In the county of Longford, the Irish received only one-third of their former possessions, instead of three-fourths, which the scheme allotted to them; and even those who had proved most faithful to the government, or who had conformed to the Protestant church, were treated little better than the rest.* Hence, notwithstanding the great improvements which were effected, there was in the heart of the Irish a secret and rankling spirit of hostility to the English, which, kept alive by the penal laws against recusants, and the inquisition into defective titles, ultimately burst forth in the terrible rebellion of 1641.†

19. Rise of Villiers, Duke of Buckingham. In the scramble for offices that ensued upon the death of the Earl of Northampton, the lord chamberlain (1614), the office of cup-bearer fell to George

* Lingard, IX., 153-154. † Ibid, 148-155; Hallam, II., 540-542; Moore, IV., 161-162.

1614

Villiers, a younger son of Sir Edward Villiers, of Brookesby, in Leicestershire. The handsomeness of his person was his sole title to favour.* His manner and address, polished by a residence in France, made a great impression upon James, and his promotion was rapid; he was knighted without any qualification, made a gentleman of the bedchamber, and a knight of the order of the Garter; and, in a prodigiously short time, he became a baron, a viscount, an earl, a marquis, lord high admiral of England, lord warden of the Cinque Ports, master of the horse, and sole disposer of all peerages, offices, and ecclesiastical preferments and honours in all the three kingdoms (1614-1618). Under his auspices the court assumed a gayer appearance than it had hitherto worn; balls, masks, and festivities rapidly followed each other; and it was in the low buffoonery with which these amusements were marked, that the King acquired the title of "your sowship." The gaieties of the court scandalised the Puritans, who were already offended at the pastimes which James had publicly authorised on the Sunday;† and they everywhere declaimed against the libertinism of the court, and denounced the licentious gallants who frequented it. And, certainly, they did not exaggerate; for corruption and bribery, the most shameful and degrading vices, even incest and murder, were not unknown in this degenerate court.

Bucking-
ham does
not
improve
the court.

20. Execution of Sir Walter Raleigh. Sir Walter Raleigh had now been a prisoner in the Tower more than twelve years, which were probably the best years of his life, because his fame chiefly rests upon the works he then produced. During this compulsory seclusion, he wrote his observations on the royal navy and the sea service, which he dedicated to Prince Henry; he composed his various political discourses, and, two years before his enlargement, he published his History of the World. Encouraged, also, by the Earl of Northumberland, "the Mæcenas of the age," Raleigh made experiments in chemistry and medicine, and a cordial which he invented was for a long time esteemed as a precious remedy for desperate and incurable diseases. In an evil hour these tranquil studies were exchanged for the old schemes of adventure in the Spanish Main. The dream of a gold mine in Guiana had never ceased to haunt his imagination, since his first visit to that country in 1595, and he had kept up his communications with the natives ever since. Through the mediation of Villiers, Raleigh obtained his liberty, but

His life in
prison.

His last
voyage to
Guiana.

* Clarendon, Book I.

† See Lingard, IX., 162, Note.

not the repeal of the sentence under which he lay (March, 1619); and he followed this advantage by obtaining, through the secretary, Winwood, the King's permission to fit out an expedition to Guiana for the purpose of colonising it, and taking possession of the gold mines. James, desirous to be on good terms with the Spanish court, even at the price of honour, either revealed to Gondomar, the Spanish ambassador, the full strength and object of Raleigh's expedition, or else connived at the ambassador's obtaining a sight of the patent. Gondomar,

The King betrays his plans to the Spanish ambassador

He fails, and, on his return, is arrested;

consequently, sent full information of Raleigh's purposes to his brother, the governor of St. Thomas, so that, when the expedition reached Guiana, the Spaniards were prepared for resistance. But Raleigh took the town of St. Thomas, after a sharp action, in which the governor and Sir Walter's son were slain. The mine, however, was not discovered; and Raleigh returned home, his great spirit crushed, and nothing before him but danger and reproach. When James had granted the patent, he had stipulated for a share of the profits of the enterprise, and the favourite had been influenced by the same expectations. But the failure of the expedition disappointed their cupidity, and Gondomar, who was enraged at the death of his brother, was now supreme at the court, and was negotiating a marriage between Prince Charles and the Infanta. Raleigh's fate thus lay in the hands of a malignant ambassador, and a revengeful King. After his landing at Plymouth, he was immediately arrested, and conducted to the Tower. He was then examined before a committee of privy councillors, upon the charge of having invaded the territory of a friendly power, in defiance of the King's prohibition, and under a fraudulent pretence that he went to discover a gold mine. He denied these charges with constancy and boldness; but his death was determined upon, and his denials were of no avail. To ingratiate himself with Spain, James offered to send Raleigh at once to Philip for execution, or to inflict prompt and exemplary punishment upon him in England. The Spanish King left the victim to the tender mercies of his English brother. It was then decided that Raleigh should be executed under his former sentence; but, as the judges held that the warrant for execution could not be issued after so long a time had elapsed since judgment, Raleigh was again placed at the bar of King's Bench, and called upon to plead. He there maintained that the commission which the King had granted him was equivalent to a pardon, because it had

and is ordered to be executed under the former sentence.

1618

conferred upon him the power of life and death over others. To which the chief justice answered, that, in cases of treason, pardon must be expressed, and not implied; execution was, therefore, granted.

In the hope of saving his life, Raleigh had hitherto resorted to various shifts and expedients; but now that all hope was gone, he displayed a fortitude worthy of his great character and heroic genius. He received the sacrament, and declared his forgiveness of all persons; he displayed no fear of death, but was "resolute and confident, yet with reverence and conscience." He made a manly speech on the scaffold, defending himself from the slanders which had been raised against him; but he made no allusion to the treason for which he had been originally condemned, nor sought to justify the conduct which had brought him to the scaffold. Taking the axe in his hand, he felt the edge, and observed, with a smile, that it was a sharp medicine, but a sound cure for all diseases. He then laid his head on the block, and, at the second blow, his head was cut off. His widow piously preserved it during the twenty-nine years that she survived him; and it is supposed to have been buried with their son, Carew, at West Horsley, in Surrey.

21. **The War in the Palatinate.** The execution of Raleigh occurred, most unfortunately for James, just at a time when the nation was excited by the news that the two religious parties in Germany had renewed their hostilities, after several years' peace. In 1618, some disputes arose concerning the erection of some Calvinist churches, in the archbishopric of Prague; and while they were at their height, the Emperor died (1619), and Ferdinand, of Gratz, a zealous Romanist, was elected his successor. Now the Bohemian crown was attached to the imperial dignity, and as the Bohemians were Protestants, they opposed this election, and raised the Elector Palatine of Bavaria to their own throne (November, 1619). The intelligence of this event excited a delirium of joy in England, and was the signal for a general array of hostile forces throughout Europe. The whole nation called upon the King to support the cause of his son-in-law, but James at first refused, and while the armies of Austria and Spain were gathering to invade the Palatinate, and zealous volunteers were waiting on the English shores to go and do battle, as in the glorious days of Elizabeth, for the cause of Protestantism, this English Solomon was acting with his usual imbecility and hesitation. To the Protestant deputies, whom the Elector sent over, he professed an

ardent desire to assist his son-in-law, while to the Spanish ambassador, he solemnly protested that the marriage of his son Charles with the Infanta, and a Spanish alliance, were the greatest desires of his heart. At length, the Palatinate was invaded, and James dared no longer resist the determination of his people; 4,000 men were reluctantly despatched, not, however, to support the Elector upon the Bohemian throne, but only to assist in defending his hereditary dominions. Such scanty succours as these would have availed nothing against the numerous hosts of the imperialists, led by such a general as the celebrated Spinola; as it was, they arrived too late; Frederic was defeated at Prague (November 7th, 1620), and being speedily driven from his own dominions, he wandered with his family through the north of Germany, an exile and a suppliant, till he reached the Hague, where he lived on the bounty of the United Provinces. The intelligence of these disasters roused the anger of the people of England to an unwonted pitch, and the Puritans considered that the Church of God had not received so great a blow since the days of Martin Luther. With popular feeling in this state, it was but natural that James should look forward to the meeting of parliament with considerable misgivings.

22. Meeting of Parliament. 1621. Revival of Impeachments. The new parliament met on the 30th of January, 1621, and was opened by the King in a conciliatory speech, full of hopes and promises, as on former occasions. After enacting some fresh statutes concerning recusants, and considering certain privileges of the house which had been violated at the close of the last parliament, the Commons granted two small subsidies, and then proceeded boldly to the redress of grievances.

The first abuse which they attacked, was that of monopolies granted by patent. Notwithstanding that many of these patents had been abolished by previous parliaments, their number was as great as ever. The government was chiefly responsible for these exactions, because they were the best substitutes for a subsidy, and it connived at them; but the popular odium fell upon the monopolists. One of the most obnoxious of these was Sir

Giles Mompesson, who had obtained patents for the exclusive manufacture of gold and silver thread, and for the inspection and licensing of inns and alehouses. The investigation into these patents disclosed an immense amount of fraud and oppression, and Mompesson, no longer trusting to the protection of the favourite, who had been his patron hitherto, fled

The Elector
Palatine is
driven
from his
dominions.

Impeach-
ment of
Mompesson.

1621

beyond sea; but his colleague, Sir Francis Michell, a justice of the peace, was arrested and sent to the Tower. The Commons, however, seemed to have entertained doubts of their competence to inflict punishment upon these offenders, because the offences were not against their particular house, but were general grievances, and nearly two hundred years had elapsed since they had exercised their right of impeachment. But the Commons, after having searched the records, now revived this ancient mode of proceeding, though they did not conduct this particular case according to all the forms. They first requested a conference with the Lords, and informed them generally of Mompesson's offence, but did not exhibit any distinct articles. The Lords then took up the enquiry, and having satisfied themselves of Mompesson's guilt, sent a message to the Commons that they were ready to pronounce sentence. The speaker, accordingly, attended by all the house, demanded judgment at the bar: when the Lords passed as heavy a sentence as could be awarded for any misdemeanour, to which the King, by a stretch of prerogative which no one was then inclined to call in question, added perpetual banishment.*

Mode of
conducting
an impeach-
ment.

The impeachment of Mompesson was followed up by others against Michell, his associate; against Sir John Bennet, judge of the Prerogative Court, for corruption in his office; against Field, Bishop of Llandaff, for bribery; and against Yelverton, the attorney-general, for participation in Mompesson's proceedings. In fact, this was an age of universal corruption; magistrates and officers of every position were alike guilty of the prevailing iniquity, and local magistrates were nick-named "basket justices," because of the bribes they were in the habit of receiving.†

The greatest man of that age came next under the stroke of this terrible weapon of impeachment. This was the lord chancellor, Sir Francis Bacon, Viscount St. Albans, whose versatile abilities and majestic eloquence won the admiration of his contemporaries; but whose vanity and extravagance, and want of honesty, excited general disgust. Complaints poured in against him for receiving bribes from the suitors in his court; the Commons made twenty-two distinct charges against him; he attempted no defence, and seeing that the court would not protect him, he made a clear confession, in writing, of all the charges; adding that this confession was his own voluntary act. "It is my act," he said, "my hand, my heart." He was spared the mortifi-

Impeach-
ment of
Bacon.

* Hallam, I., 357.

† See Massinger's *Bondman*, act ii., scene 3.

cation of kneeling as a criminal at the bar of the house where he had so long presided as chancellor, but he was sentenced to a fine of £40,000; to imprisonment in the Tower during the King's pleasure; to be incapable of holding any office, or of sitting in parliament, and not to come within the verge of the court. The King remitted the fine, and released the fallen minister after an imprisonment of a few days. He died in the fifth year after his disgrace (1626).^{*} The impeachment and fall of Bacon have been attributed by some to the animosity of Coke, and the intrigues of Villiers. But the former took no prominent share in this prosecution, and the latter felt too much the need of the chancellor's deep sagacity and extensive observation, to assist in crushing his best and wisest adviser. It is to the House of Commons alone that we must attribute Bacon's disgrace; they saw that the time had come for striking at the root of official corruption, and they struck down the chancellor, not because he was more guilty than others, but that his punishment might be a signal example to lesser offenders.

While there was thus much to commend in this stern severity of the Commons towards public delinquents, there occurred an instance in which they were hurried by the passions of the moment, into an act of the most unwarrantable violence. The house was in a rage about the Palatinate, and when it came to their knowledge that a Roman Catholic barrister, named **Punish- Floyd, then confined in the Tower, had expressed his satisfaction**
ment of that "goodman Palsgrave, and goodwife Palsgrave," had been driven
Floyd, a from Prague, nothing could exceed their fury, and they fixed upon the
Roman most degrading punishment they could devise. But the house went
Catholic. beyond its powers, and Floyd, knowing this, appealed to the King, who questioned the right of the house to judge offences which did not interfere with its privileges. This placed the Commons in some embarrassment; because, in the matter of Mompesson, they had acknowledged that they had no jurisdiction, except over offences against themselves. Floyd had denied the charge brought against him; a question then arose, whether the house could sentence a denying party without the oath of witnesses; on which the further question was raised, whether the house was a court of record, empowered with judicial authority, and the administration of an oath. In a conference with the Lords, the Commons were unable to maintain these points, and Floyd was brought before the House of Lords. But this conflict of privileges was of no service to the unfortunate culprit, the severity of whose sentence was only augmented by his new judges. He was degraded from his gentility, declared infamous, and unworthy of testimony; was condemned to ride from the Fleet to Cheapside on horseback, without a saddle, with his face to the horse's tail, and the tail in his hand, and there to stand two hours in the pillory, and to be branded in the forehead with the letter K; to ride four days afterwards, in the same manner, to Westminster, there to stand two hours more in the pillory, with a paper in

^{*} Much light has been thrown upon this matter in Hepworth Dixon's "Personal History of Lord Bacon."

1621

his hat showing his offence; to be whipped at the cart's tail, from the Fleet to Westminster; to pay a fine of £5,000; and to be a prisoner in Newgate during his life. He underwent the whole of this horrible sentence, with the exception of the whipping, which was remitted at the request of Prince Charles. What an unhappy proof this is of the fact, that the passions of a popular assembly have been as distinct, if not as frequent, a source of injustice, as the despotic tendencies of a king; and that the privilege of parliament, when undefined and uncontrolled, is as exorbitant a power, as the most illegal stretch of prerogative! Both prerogative and privilege ought to be kept equally in restraint; and perhaps the best restraint is, an enlightened public opinion.*

So far everything had proceeded with harmony between the King and parliament. But when James intimated to them, in June, that he expected them to adjourn over the summer, some dissatisfaction was produced, especially as nothing had been done with regard to the great object of their meeting, viz., the affairs of the Palatinate. Before they adjourned, therefore, the Commons entered a solemn protest in the journals, which stated that they would spend their lives and fortunes in defence of their religion, and of the cause of the Elector. This protestation was carried amidst the greatest acclamation; all the members cheering and waving their hats, the like of which, says an eye witness, "had scarce ever been seen in parliament;" and, to confirm their oath, with the solemnity of religious worship, Sir Edward Coke fell on his knees, and recited, with many tears and great emphasis, the collect for the King and royal family from the Book of Common Prayer.

A solemn protest for religion is entered on the journals.

23. Second Session of Parliament, 1621-22. The two houses re-assembled November 20th, 1621. In the interval, Williams, Bishop of Lincoln, and a dependent of Buckingham, was appointed lord chancellor; and he advised the King to prepare for the session by removing the most obnoxious monopolies, by inquiring into the disappearance of the gold coin, and by framing regulations for the increase of the export trade. The parliament was opened by commissioners, who announced that a body of troops had been sent to defend the Palatinate, and that money was wanted for their pay. But the commissioners spoke to dissatisfied and irritated minds; the parliament had no confidence in the King, whose secret correspondence with Spain was well known to them, while the failure of an attempt against Algiers by Admiral Mansell, for the suppression of Algerine piracy in the Mediterranean, chiefly through the King's timidity and parsimony, had excited a general and bitter complaint. Lords

The Commons are irritated at the loss of the Palatinate.

* Hallam, I., 361; Pop. Hist., III., 381.

Essex and Oxford, also, had just arrived from the Palatinate, and declared that that country was lost for want of timely aid. When, therefore, the commissioners demanded £900,000 for the support of the troops one year, the Commons voted only £70,000. During the recess, Sir Edwin Sandys, one of the popular leaders, had been committed to the Tower; but, though his boldness of speech in the parliament was undoubtedly his offence, the King protested that his commitment was in no way connected with the privileges of the house. This explanation appeased the Commons; but at the suggestion of Coke, they drew up a petition and remonstrance against the growth of popery, intimating, among other remedies for this grievance, that Prince Charles should marry one of his own religion, and that the King should direct his efforts against that power (meaning Spain) which first maintained the war in the Palatinate. This bold interference with high matters of state alarmed even the petitioners themselves; the petition was opposed as unprecedented; even Coke defended it but weakly, and some words were inserted which declared that the house "did not mean to press on the King's most undoubted and royal prerogative." Before the petition was presented, however, the King obtained a copy of it, and he sent a violent and peremptory letter to the speaker, commanding the house not to meddle with any matter of government, or mystery of state. And with regard to Sandys, he bade them be informed that he was not committed for any misdemeanour in parliament; yet, that they might not be in doubt about it, he would let them know that he would punish any man's misdemeanours in parliament; and meant not to spare. The Commons received this message with unanimous firmness, but without any undue warmth; and they returned a temperate answer, in which the King was told that their liberty of speech was their ancient and undoubted right. James replied that their privileges were derived from the grace and permission of his ancestors and himself; the Commons maintained that their claims were the birthright of the nation. An angry war of petitions and remonstrances, messages and recriminations, was commenced, which the Commons terminated by entering upon the journals of their house their famous protestation (December 18th, 1621), in which they stated—

Petition
against the
Spanish
match and
the growth
of popery.

Famous
protest on
liberty of
speech.

1. That the liberties, franchises, privileges, and jurisdictions of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England.

2. That the affairs concerning the King, state, and defence of the realm, and of the church of England, the making and maintenance of

1621

laws, and redress of mischiefs and grievances, are proper subjects and matter of counsel and debate in parliament.

3. That in the handling of these matters every member hath, and of right ought to have, freedom of speech; and that the Commons have full liberty and freedom to treat of these matters as in their judgments seems fittest.

4. That every member of the house hath like freedom from all impeachment, imprisonment, and molestation (other than by the censure of the house), for anything that takes place in parliament; and that if any member be complained of on this account, the King cannot notice it, except it be showed to him by the advice and consent of all the Commons assembled in parliament.*

This proceeding irritated the King more than ever; he sent for the journals, and tore out, with his own hand, in the presence of his council, the obnoxious protestation; and, a few days later, dissolved the parliament. Few of the popular leaders escaped his resentment; Oxford and Southampton, from the upper house, and Coke, Philips, Selden, Pym, and Mallory, from the lower, were summoned before the council, and imprisoned, some in the Tower, some in the Fleet, some in private houses, and four other less obnoxious members, Sir Dudley Digges being one, were sent on a commission to Ireland, as a sort of honourable banishment. For the first time since the Reformation, the Lords had united, in this session, with the Commons in opposing the court, the Earls of Essex, Southampton, Warwick, Oxford, and Lords Say and Spencer, being the chief. This opposition, remarks Hallam, "must be reckoned an evident sign of the change that was at work in the spirit of the nation, and by which no rank could be wholly unaffected." "The struggle which was to be fought out in the battle-field, twenty years afterwards, was already begun in a most unmistakeable manner. It was a contest for first principles—whether England should be a constitutional monarchy, or a depotism."†

The King tears the protest out of the Journals, and imprisons many of the members.

24. *The Spanish Match.* This remarkable protest of the Commons was owing, in a great measure, to the secret negotiations which James had, for some time, been carrying on with Spain. At first, he had sought to connect himself with France, by soliciting the hand of the Princess Christine for his son Henry, and then for Prince Charles. But Christine married Philip, Prince of Spain, while her brother Louis married Philip's sister, Anne of Austria. The Spanish King, however, offered James his next daughter, Donna Maria, and, after three years' negotiations, the articles of agreement were drawn up (1623), the main points of which were, that the Infanta should have the free

A Spanish treaty.

* Hallam, I., 367.

† Const. Hist., I., 368.

exercise of her religion; that no more priests should be executed for the simple performance of their functions; and that the Catholics should be relieved from the pressure of the penal laws. James immediately released four thousand recusants from confinement, and matters were brought almost to a conclusion, a dispensation from the Pope being the only thing required, when the Prince of Wales and the Marquis of Buckingham, under the disguised names of John and Thomas Smith, made their appearance at the Spanish court, and put an end to further negotiations. So far, the Spanish court had protracted the treaty, in order to extort more favourable terms; it was now to become the dupe of its own artifices. To relate the intrigues that took place, the festivities, bull fights, tournaments, processions, and banquets, which marked the residence of Charles in Madrid, would be beyond our purpose. Suffice it to say, therefore, that James had solemnly engaged to ratify whatever "the sweet boys and dear ventrous knights" (as he termed Charles and his favourite) agreed upon with the Spanish court, and that, after seven months' delay, two new treaties were concluded, one public, stipulating to the Infanta and her household the free exercise of her religion, the other private, engaging that full toleration should be accorded to the Catholics, and that parliament should be induced to repeal the penal laws. Prince Charles, who manifested thus early that duplicity which formed the prominent feature of his character, was ready to go even further than this, and to agree that he would never engage in any hostile measure against the church of Rome, and would endeavour to bring about a unity of faith and worship between the two churches.*

The court of Spain, however, still hoped to profit by the presence of Prince Charles, and interposed many vexatious delays to prevent the consummation of the marriage. Buckingham, also, was jealous of the Earl of Bristol, the special ambassador who had conducted the negotiations previous to the prince's arrival; his insolent manners and gross licentiousness had disgusted the Spaniards, who were not slow to manifest their feelings; and he had heard that his enemies at home were profiting by his absence to undermine his influence. The marriage treaty was, therefore, suddenly broken off, although there wanted but four days before the ceremony was to be performed, and Charles and Buckingham returned home, to the universal rejoicing of the English nation.†

The treaty
is broken
off.

* Ranke, II., 500. † See Lingard, IX., 196-213, for full details of all these negotiations.

1624

25. James's last Parliament. 1624. Buckingham obtained a transient and unmerited popularity by thus averting a great national mischief, and, full of confidence in this altered tone of public feeling, he persuaded the King to summon a parliament. Before it met, he held several private conferences with the opposition leaders of both houses, at which it was agreed, that a plentiful supply should be voted, on condition that an end was put to the marriage treaty, and war immediately declared against Spain. The session opened on the 19th of February, 1624, and in a conference held between the two houses, Buckingham gave a full account of the late negotiations. His statement was false; yet Prince Charles, who knew it was false, stood by and affirmed it to be true, and the only man who could have exposed its falsehood, the Earl of Bristol, was absent, by order of the council. The two houses addressed the King, and prayed that the marriage treaty should be formally broken off. The Commons then voted three subsidies and three fifteenths, about £300,000, for the specific purpose of recovering the Palatinate; which meant war against Spain. The vote was coupled with a condition proposed by the King himself, that, in order to ensure its application to naval and military armaments, it should be paid into the hands of treasurers appointed by themselves, who should issue money only on the warrant of the council of war.*

The Commons control the expenditure of their own grants.

The most remarkable affair of this session, was the impeachment of Cranfield, Earl of Middlesex, lord treasurer, for bribery and other misdemeanours. The Prince of Wales and Buckingham instituted the prosecution, to gratify the private pique of the latter, against the wishes of James, who told the duke to beware how he put into the hands of the Commons a weapon which they might one day wield against himself. The impeachment was conducted in a very regular form, except that the depositions of witnesses were merely read by the clerk; the great principle of English law which insists upon the vivâ voce examination of witnesses, being as yet unknown, or dispensed with in political trials. Middlesex was unanimously convicted by the peers, fined £50,000, and declared incapable of sitting in parliament. His impeachment was of the highest moment to the Commons, because it restored for ever that salutary constitutional right, which the single precedent of Lord Bacon might have been insufficient to establish against the ministers of the crown.† Williams, the lord keeper, was also threatened, but he escaped by

Impeachment of the Earl of Middlesex.

* Hallam, I., 371. † Ibid, I., 372.

a timely submission to the duke. In this session, also, there was enacted a statute which declared all monopolies to be contrary to law, and all existing grants of them to be void (21 James I., c. 3). How the statute was respected, we shall see in the next reign. Scarce any difference arose between the crown and the Commons in this brief session, and there was established that practical concord, which a new king might have improved into a co-operation for the general good, had he as well as the parliament understood the altered condition of society.*

26. Death of James. After the failure of the Spanish match, James felt that he was powerless; in the hands of a son who did not respect him, and of an insolent minion who despised him. He was forced into a war against his will, a war which brought nothing but disgrace. An army of 12,000 men was raised in England for the service of the Elector, and placed under the command of the celebrated adventurer, Count Mansfield. The men set out from Dover, and sailed first to Calais, and then to the island of Zeeland. But the crowded state of the ships, their foulness, the inclemency of the season, the want of provisions, and of proper accommodation on shore, generated a contagious disease, which struck down 5,000 men in a few weeks. The people were naturally discontented at these disasters, and their discontent was increased when a negotiation was set on foot for the marriage of

The French marriage treaty is begun.

Prince Charles with another Catholic princess, Henrietta Maria. The articles for this second marriage treaty were even more opposed to English Protestantism than those of the former one with Spain, three of them stipulating that all Catholics who had been imprisoned on the petition of the late parliament should be released; that all fines should be remitted; and that no recusants should be hereafter molested on account of the private exercise of their worship. James did not live to witness the celebration of this marriage. In March, 1625, he was taken ill at Theobalds; and, at the end of a fortnight, died. His disease was at first considered to be tertian ague, and afterwards gout in the stomach; but his death was probably owing to his pertinacious refusal of all medical aid or remedy.

* Pop. Hist., III., 385.

1625

CHAPTER II. THE REIGN OF CHARLES THE FIRST.

1625-1649.

CHARLES I. *Reigned* twenty-three years and ten months, from 27th March, 1625, to 30th January, 1649. *Born* at Dunfermline, 19th November, 1600. *Married* Henrietta Maria, of France. *Died* on the scaffold, at Whitehall, 30th January, 1649. *Buried* in St. George's Chapel, Windsor.

SECTION I.—THE FIRST STRUGGLE BETWEEN KING AND PARLIAMENT. 1625-1629.

I. THE FIRST TWO PARLIAMENTS.

1. *The first Parliament.* The accession of Charles I. marks the beginning of that great epoch, during which the important question was to be decided—whether the English parliament was to share the fate of the continental senates, or obtain that ascendancy in the state which it had possessed under the later Plantagenets, but had lost under the Tudors. Judging from the character of the new monarch, there was good reason for anticipating a quiet and peaceable solution of this question; for Charles was stern and serious in his deportment; chaste and temperate; and possessed of a deeper sense of religion than his father.* But, unfortunately, he had inherited all that father's high notions of prerogative, and was more disposed to carry them into practice. In this he was directly opposed to the spirit of his people, who were resolutely bent upon retrenching the prerogative; so much so, indeed, that they withheld all expressions of loyalty towards their new sovereign, lest they might waver in their purpose. Charles took speedy means to convince them of the wisdom of their resolution. His subjects were already incensed at the discovery of his perfidy in the matter of the Spanish marriage, and his immediate union with Henrietta of France gave still greater offence, especially when the secret articles of the marriage treaty, granting concessions to the Roman Catholics, became known.

The first parliament which the King summoned showed, most

* Mrs. Hutchinson's Memoirs.

unmistakeably, how these things affected the people (June 18th). The Commons demanded that the penal laws against the papists should be enforced; the King asked for £300,000, and they voted less than half that sum; while they granted tonnage and poundage for only one year, instead of for the King's life, as had been the practice for two centuries. The mutual recriminations and angry debates which followed, were interrupted by the plague, which broke out in London, and compelled the assembly to adjourn to Oxford. But the tactics of the Commons were well planned, under the leadership of some of the ablest statesmen that England has ever produced,—Coke, Sandys, Philips, Seymour, Digges, Eliot, Wentworth, Selden, and Pym. These men determined that the grant of supplies should depend upon the redress of grievances; the greatest of which, in their eyes, was the administration of Buckingham. They had lately discovered that this minister had attempted to employ English ships against the Huguenots of Rochelle. This highly inflamed them; to all the King's entreaties for money they were inexorable; and Charles, on the pretence that the plague had appeared at Oxford, suddenly dissolved them (August 12th). He found they were preparing an impeachment against Buckingham.

2. War with Spain. Both Elizabeth and James had been opposed to war, because they knew that want of money alone could render the power of parliament dangerous to their prerogatives. But Charles had no such sagacity, and he now imprudently plunged into hostilities with Spain, solely at the instigation of Buckingham, although his treasury was empty. Supplies were partially raised by forced loans, with which an expedition was fitted out, and sent to Cadiz, under Cecil, Lord Wimbledon, for the purpose of intercepting the Spanish Plate Fleet. Owing to mismanagement, the expedition proved a complete failure; and to ward off popular fury, the laws against the Roman Catholics were vigorously enforced. But, at the same time, Charles secretly sold the recusants pardons and dispensations; and, when the French King complained of the revived penalties, as violations of the articles of the marriage treaty, Charles alleged that those articles were nothing more than an artifice to obtain the papal dispensation for the marriage.* In the late parliament, the courtiers had told the Commons, that so far at least as the King was concerned they could not complain of grievances, for his rule had only just begun.

Supplies
are raised
by loans
and the sale
of pardons.

* Lingard, IX., 247.

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Scarcely six months had elapsed, yet here were grievances enough, surely; forced loans, an imprudent war, and, more than all, royal perfidy; all which must have made the King look forward to the meeting of another parliament with no very pleasant feelings.

3. The Second Parliament.—Impeachment of Buckingham. To break the strength of the opposition in the new parliament, Charles prevented the usual summons being sent to the Earl of Bristol, Buckingham's personal enemy; and he incapacitated seven of the most active commoners, Coke, Philips, Wentworth, and others, from sitting in parliament, by causing them to be nominated sheriffs for the year. This artifice was too gross to escape detection, and only served to exasperate the Commons more against the court. The new parliament met on the 6th of February, 1626, and the Commons at once appointed three committees: for religion; for grievances; and for evils, causes, and remedies. The first took up the subjects of popery, and the heterodox opinions of Dr. Montague, one of the royal chaplains, who had been prosecuted in the former parliament. The second denounced sixteen abuses, specifying, among others, that purveyance, illegal impositions, and the levying of tonnage and poundage, were subversive of the liberties of the people. The business of the third committee was that which chiefly occupied the attention of the Commons, who denounced Buckingham as the "cause," and declared that his punishment was the only "remedy" of the national "evils." When Charles heard of these sharp speeches against his favourite, he sent an insolent message to the Commons, saying that he would not allow them to question the conduct of any of his servants, much less such as were of eminent place, and near unto him. He saw that they aimed at the Duke of Buckingham; but he would have them hasten the supply, or it might be worse for them. This message so provoked the Commons, that, having no distinct evidence against the duke, they voted that "common fame" alone was sufficient ground on which to proceed; and they immediately set about to prepare Buckingham's impeachment: yet, to show that they were resolved to act with good faith, they granted supplies for the King's immediate necessities. But Charles was now thoroughly alarmed, and he warned the Commons that parliaments were altogether dependent upon him, "therefore," said he, "as I find the fruits of them, good or evil, they are to continue, or not to be." The Commons, however, were not to be deterred by such language as this; they deliberated with locked

Three committees
for religion,
grievances,
and evils.

Buckingham's
impeachment
is prepared.

doors, and resolved to impeach Buckingham on twelve articles; and they entrusted the business to eight managers, Pym, Herbert, Selden, Glanville, Sherland, Wandesford, Digges, and Eliot, the last of whom, the most eloquent man in the house, was to sum up the charges. He did so with appalling boldness. He complained of Buckingham's oppression and extortions; his engrossing all offices for himself and his kindred; his pride, covetousness, and boundless ambition. He compared him to Sejanus, and then concluded thus:—"My lords, you see the man! By him came all these evils; in him we find the cause; on him we expect the remedies; and to this we met your lordships in conference."* Charles was transported with rage; if Buckingham was Sejanus, then he himself must be Tiberius. He hastened to the house, and caused Eliot and Digges to be immediately arrested. The incensed Commons on this declared they would do no more business till these two gentlemen were set at liberty. The friends of the court sought to frighten them; and Sir Dudley Carleton, the King's vice-chamberlain, insinuated that the King might be very likely tempted to govern alone, like the princes on the continent. But his words were saluted with loud shouts—

The
impeach-
ment is
stopped by a
dissolution.

"To the bar! To the bar!" and he narrowly escaped the indignity of having to apologise at the bar on his knees. At the end of a few days, the King's anger cooled, and he released the two members. But soon after, he caused Buckingham to be elected to the chancellorship of the University of Cambridge. This ill-timed act of power again excited the Commons, who declared it an insult to the house. They then proceeded to draw up a reply to Buckingham's defence, when the King ordered them to grant a supply without any condition; which being refused, Charles immediately dissolved the parliament (June 15th).

4. Disputes concerning the Privileges of the Peers. While the King was thus at open war with the Commons, he wantonly provoked a useless quarrel with the Lords. Lord Maltravers, the son of the Earl of Arundel, having married the daughter of the Duke of Lennox, of royal blood, without the royal license, Arundel was committed to the Tower. But the Lords voted that this imprisonment pending the session, was an infringement of the privilege; "that no lord of parliament, the parliament sitting, or within the usual times of the privilege of parliament, is to be imprisoned or restrained without any sentence or order of the

The Earl of
Arundel.

* Forster's Lives of the Statesmen of the Commonwealth, II., 45.

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house, unless it be for treason, or felony, or for refusing to give surety for the peace." After a contest of three months, Arundel was set at liberty. The next cause of contention was the refusal of the writ of summons to the Earl of Bristol. Ever since Buckingham, with Charles by his side, had made that false statement to the two houses about the Spanish treaty, they had lived in constant terror of Bristol, because he was the only man able to expose them. He had been put under arrest, forbidden to appear at court, or to attend parliament. When he complained to the peers of his writ of summons not having been sent to him, the King was compelled to forward it, but he privately forbade the earl to obey. But Bristol knew that the King's constitutional will, expressed in the writ, outweighed his private command; and he sent the private letter to the house, and asked their advice, stating that he desired to accuse Buckingham of high crimes and misdemeanours. On this the earl was himself accused of high treason, and committed to the Tower. Such conduct as this proves that Charles was unfit for the government of any nation. The charges which he had caused to be laid against Bristol depended upon his own unsupported testimony; this degraded his royal dignity; and the peers actually debated the question, whether the King's testimony could be admitted in cases of treason and felony.*

II. THE INTERVAL BETWEEN THE SECOND AND THIRD PARLIAMENTS.

5. *Arbitrary Impositions.* The dissolution of the second parliament, before it had granted any supplies, left the King to struggle with his pecuniary difficulties. This was not unacceptable to some of his councillors, because it afforded a pretext for those unauthorised demands which they, as well as he, deemed more in accordance with the royal prerogative. Tonnage and poundage, although not yet granted, were levied; the rents of the crown lands were raised; the fines for recusancy were rigidly enforced; privy seals for borrowing money were again issued; the ports were compelled to maintain armed vessels, and the counties military garrisons; and a *general loan* was exacted. This last outrageous stretch of power was resolved on, in consequence of the defeat of Charles's allies, under the King of

* Hallam, I., 379-380, and Notes; Lingard, IX., 231-234.

Denmark, at the battle of Lutter (August 27th, 1626), by which money became more necessary than ever, for the support of the Elector Palatine. Commissioners were accordingly sent into every county, with instructions to take no less than a specified sum from every person, and the tenets of religion were violently enlisted into the service, to induce the people to submit. Two clergymen, named Sibthorpe and Mainwaring, preached sermons in favour of the loan, and of passive obedience; the whole authority of the state was represented as belonging to the King alone, and all limitations upon his power were declared seditious and impious. Many, however, obstinately refused to pay, of whom the poorer sort were pressed into the army and navy, and the gentry imprisoned.

6. Imprisonment of five Knights for refusing to pay Loans. Among the latter were five knights, Darnel, Corbet, Earl, Hevingham, and Edward Hampden (cousin of John Hampden), who sued for their writ of *Habeas Corpus*, which was granted.

The judges examine the legality of their imprisonment. The warden of the Fleet, where they were confined, returned that they were imprisoned *by the special command of the King*. The lawfulness of this return was questioned, and a remarkable discussion ensued thereupon; Noy, Selden, and others arguing for the claimants; Attorney-General Heath for the crown.

The prisoners' counsel grounded their arguments on the famous clause in Magna Charta which declares, that "no freeman shall be taken or imprisoned, unless by lawful judgment of his peers, or the law of the land." They cited the statutes which had been enacted in confirmation, not only of the Charter generally, but of this particular clause; and especially referring to the 25 and 28 Edward III., they said that it was never understood, notwithstanding the vagueness of these statutes, that a man could be kept in prison upon a criminal charge before indictment; that it was the regular practice for every warrant of indictment, and every return by a gaoler to the writ of *Habeas Corpus*, to state expressly the prisoner's offence, in order that the same might be seen to be a legal offence or not, so that the prisoner might be set at liberty, or released upon bail, or remanded to prison. And even when the privy council committed a prisoner (and their right to do so was not disputed), they were bound to state the cause of that commitment, in order that the Court of King's Bench might determine whether the prisoner suing for his writ of *Habeas Corpus* ought to be released or remanded. Several precedents, from the reign of Henry VII. to that of James, were then produced in support of these principles, but as the counsel feared that the opposite party might find a pretext for eluding these precedents, they stood more upon the fundamental laws of the realm, which laid down such principles as these:—

- (1) The King's command cannot excuse an illegal act.
- (2) The King cannot arrest a man upon *suspicion* of felony or treason, though

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his subjects may, because the suspected has no remedy if the King unlawfully arrests him, whereas in the case of a subject he has a remedy.

(3) No order of the King is sufficient in law to arrest a man, except it is issued through a writ under the seal of one of the courts of law. And if the King's command *were* lawful, urged the counsel, yet a person so arrested must be brought to trial, and could not be indefinitely detained in prison.

To these arguments for liberty, the attorney-general replied in a speech full of the highest principles of prerogative. The King had commanded the arrest of these men, that was sufficient; his absolute power was superior to that which he possessed by the law, and was quite distinct from it; no one could call it in question; and as "the King can do no wrong," there must have been good cause for the arrest, though he did not choose to set it forth. The detention of papists in prison, for mere political jealousy, was produced as a precedent in support of these principles.

Arguments
of the
crown
lawyers.

The chief justice, Sir Nicholas Hyde, and his colleagues, decided in favour of the crown, on the ground, however, that no precedents had been produced which proved that the Court of King's Bench had ever bailed persons committed "by the special command of the King," and on a resolution of the judges, 34 Elizabeth, which stated that "her majesty's special commandment" was good cause for leaving any person in custody.

The
decision.

The consequence of this decision was, that every statute framed for the protection of the liberty of the subject, became a dead letter; and this was the more mischievous because the reason why these gentlemen had been imprisoned was, their opposition to an illegal exaction of money. Everything, therefore, that distinguished our constitutional laws, all that rendered the name of England valuable, was at stake in this issue.*

7. The War against France. It will be remembered, that throughout their long struggle for deliverance from Spanish tyranny, the Dutch had for allies, the English and the French; the former because of religious sympathy, the latter through jealousy of Spain. To revenge themselves, the Spaniards made a secret alliance with the Huguenots, in 1624, who captured the Isle of Rhé. It was to retake this island from the Huguenots, that Buckingham endeavoured to make that treacherous use of English ships which had formed one of the articles of his impeachment. But now Charles suddenly changed his policy, and he began to intrigue with the Huguenots against the French government. This rash step has been ascribed to a personal pique between Buckingham and Cardinal Richelieu, the French prime minister, and to the duke's resentment of the opposition which the French court made to his amours with the young queen, Anne of Austria.

* Hallam, I., 383-387.

But France was also offended at the non-fulfilment of the articles of the marriage treaty, and the ill-treatment which Henrietta received from her husband, who, under the influence of Buckingham, had dismissed all her French servants, contrary to the treaty. English ships were encouraged to attack French merchantmen; angry expostulations between the two courts followed, until at length both monarchs, as if by mutual compact, signed orders for the suspension of all commercial intercourse between the two countries. A naval and military expedition was at once fitted out, and placed under the command of Buckingham, who sailed first to Rochelle. But although Richelieu was then besieging that place, the Huguenots refused to accept the duke's aid, or to admit him into the fortress, and he then bent his course to the Isle of Rhé, where he encountered similar ill fortune; for he was driven off the island with considerable loss (October, 1627). To raise money for a second expedition, Charles was obliged to call his third parliament.

III. DURING THE SITTING OF THE THIRD PARLIAMENT.

8. *Temper of the New Parliament.* Charles consented to summon this new parliament with the greatest reluctance; and to conciliate the popular party, he released a considerable number of those gentlemen who had been imprisoned for their refusal of the loan. Many of them were elected to the new parliament, and as they came thither with just indignation at their country's wrongs, and pardonable resentment of their own, the King's policy was, as usual, imprudent. Even while the elections were going on, the loans and other impositions were being levied, and illegal proclamations issued; the council was also debating the levy of ship money, and contracts were entered into for the introduction of Flemish soldiers, in order to overawe the people. No year, indeed, within the memory of any one living, had witnessed such violations of public liberty as the year 1627.* When, therefore, the new parliament met (March 17th, 1628), its temper was more bitter than that of any of its predecessors, and the King's opening speech inflamed it still more. "If you do not contribute to my necessities," he said, "I shall use those other means which God hath put into my hands. Take not this as threatening; I scorn to threaten any but my equals."†

* Hallam, I., 387. † Lingard, IX., 275.

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There were now three distinct parties in the House of Commons : *Ministerialists*, *Puritans*, and *Patriots*, or *Constitutionalists* ; the latter comprising such men as Pym, Coke, Selden, Eliot, Cotton, Philips, Granville, Wentworth, and Noy. The ^{Political} ~~parties.~~ two latter, however, went over to the court at the end of the session. Under the leadership of these men, the Commons proceeded in their business with the most consummate address. They first resolved to grant five subsidies (£350,000), to be paid within a year ; but before they passed their resolution in the shape of a bill, they required, as a previous condition, that Charles should assent to those liberties which they claimed as the birthright of Englishmen. They embodied these in four resolutions :—

- (1) That no freeman can be imprisoned without some lawful cause expressed.
- (2) That every man imprisoned has a right to his writ of *Habeas Corpus*, if he sues for it.
- (3) That when the return expresses no cause of commitment, the prisoner must be released or bailed.
- (4) That every man has full and absolute property in his goods and estate, which the King cannot touch, except by the authority of parliament.

9. **The Petition of Right.** Two months were spent in conferences and negotiations between the two houses and the King, concerning these resolutions, after which the Commons brought forward their famous *Petition of Right*.

This “second great charter of the liberties of England,” was a simple declaration, in the form of a petition, of the rights of the subject, and consisted of eleven clauses, which “*humbly showed*,”

(1) That by the statute *de tallagio*, no tallage or aid could be levied by the King without consent of parliament ; by the 25 Edward III. no person could be compelled to make any loans to the King against his will ; and by other laws, that none should be charged with a benevolence, or any charge not set by common consent in parliament.

(2) That many people, because they had refused of late, to lend money to the King, had been cited before the privy council, imprisoned, and otherwise molested ; and others had been divers ways charged and levied upon for musters, commissioners for musters, and justices of the peace.

(3) and (4) The third and fourth clauses recited the well-known 39th article of Magna Charta, and the 28th Edward III., which declared the imprisonment of any freeman, or the destroying of his life and property, illegal, except by the lawful judgment of his peers, or by the law of the land.

(5—9) Nevertheless, recited the next five clauses, divers subjects had of late been imprisoned without any cause showed ; that when they sued for their writ of *Habeas Corpus*, no cause was certified, except that they were detained by the special command of the King, on which they were returned to prison. Others had been compelled to support soldiers and mariners in their own houses ; which soldiers and mariners, and “other dissolute persons joining with them,” had been tried for various offences by martial law, and not by the law of the land, as the Great Charter, the 25 Edward III., and other statutes, had enacted.

(10) Therefore, the Commons humbly prayed,

(a) That no man should be compelled to make or yield any gift, loan, benevolence, or such like tax, without consent of parliament.

(b) That none should be made to answer, or take oath, or to give attendance, or be confined, or in anywise molested for refusal thereof.

(c) That no freeman should be imprisoned in such manner as was before mentioned.

(d) That the King would remove the soldiers and mariners, and not so burthen his people in time to come.

(e) That the commission for martial law should be revoked and annulled, and no commissions of like nature issued forth in future.

(11) All which the Commons prayed of the King, as their rights and liberties, according to the laws and statutes of the realm; that he would declare that the proceedings they had complained of, should not be drawn hereafter into consequence or example; and that he would be graciously pleased further to declare, that in all these things aforesaid, his officers and ministers should serve him according to the laws and statutes of the realm.

The King, fearing to lose the five subsidies, and yet resolved to retain the right of arbitrary imprisonment and the exaction of loans, was at a loss what answer to return to this petition. He determined to dissemble. The peers first endeavoured to aid him, by proposing to insert a clause "saving the sovereign power;" but the Commons objected to this, observing that the laws did not recognise a sovereign power. The King then appended the following equivocal answer in lieu of the ancient form :

"The King willeth that right be done, according to the laws and customs of the realm, and the statutes be put in due execution; that his subjects may have no cause to complain of any wrong or oppression contrary to their just rights and liberties, to the preservation whereof, he holds himself as well obliged as of his prerogative."

The scenes which followed in the lower house, when the Commons received this answer, were most exciting. The popular leaders indulged in the most passionate invective; then a deep and mournful silence ensued; rage succeeded; and with locked doors, the Commons formed themselves into a committee, to consult on the means of saving the nation. In the midst of the tumult, the speaker went to the King secretly; fear came over the court, and the next day Charles went to the House of Lords, and subscribed the customary form of assent to the petition—"Soit fait droit comme il est désiré." The Commons immediately passed the bill granting the five subsidies, and then proceeded to deal the last blows against the government; for Buckingham, the "grievance of grievances," still ruled the King, and the King still levied the customs without the sanction of

The King's first answer is unconstitutional.

He is compelled to give the usual assent.

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parliament. The Commons, therefore, prepared a bill to grant tonnage and poundage, but first drew up a remonstrance declaring their imposition to be illegal, without the consent of parliament. They also drew up another remonstrance against the duke, and were about to present both, when the King suddenly prorogued them (June 26th, 1628.) By this abrupt proceeding, Charles dissipated what little hopes might have arisen from his tardy assent to the Petition of Right. In the remonstrance against tonnage and poundage, the Commons gently reminded him that he could not levy these of his own power, without violating the petition; but in the speech with which he dismissed them, he said that he never intended to give up these duties, and that he could not do without them. He thus terminated the session by explaining away all that he had appeared to concede. Nor was this the only instance of his insincerity. Before the Petition was passed, he had proposed three questions to the judges, concerning the most vital points, and the answers they had given had assured him that, with their base compliance, he could evade the observance of the bill. Now that it was passed, and the session was over, he gave a most lamentable instance of his falsehood and deception. He caused 1,500 copies of the Petition to be circulated through the country, with his first and illegal answer annexed to it; an attempt to deceive, without even a prospect of success. "Instances of such ill faith," remarks Hallam, "in the life of Charles, render the assertion of his sincerity (by Hume, Clarendon, and others) a proof, either of historical ignorance, or of a want of moral delicacy.*"

Parliament prorogued.

False and illegal copies of the petition are published.

10. **Murder of Buckingham.** On the same day that Buckingham was denounced as the "grievance of grievances" in the House of Commons (June 13th), his physician, Dr. Lamb, was murdered by a mob in the streets of London, and a few days after, the walls were placarded with these words:—"Who rules the kingdom? The King.—Who rules the King? The duke.—Who rules the duke? The devil. Let the duke look to it, or he will be served as his doctor was served." Without noticing this menace, Buckingham proceeded to Portsmouth, to take the command of an expedition which was then being fitted out for the relief of Rochelle. On the 23rd of August, as he was leaving his dressing room to go to his carriage, he was stabbed to the heart, by Lieutenant Felton. Sewn up in the assassin's hat was found a paper, in which the last remonstrances of the Commons was referred to. Felton did not

* Const. Hist., I., 388-392; Lingard, IX., 275-281; Guizot's Eng. Rev., 22-30.

escape, nor attempt to defend himself; he merely said, that in murdering the duke he was serving his God, his King, and his country, and that he had no accomplices; the merit and the glory being all his own. The King, who was then staying near Portsmouth, would have had him tortured, but the judges, contrary to their usual practice at this time, decided in favour of right and justice, and informed Charles that the use of the rack, under any circumstance, was contrary to the law of England. Felton underwent the usual punishment.

The murdered duke was only in his thirty-sixth year. Although he had retained the affections of two succeeding monarchs, his abilities were not equal to his fortune. He was one of those men who seem born to shine in courts, and to displease nations. Proud of the attachment of his sovereign, he scorned to seek a friend among his equals, and hence persevered in the same course to the end; urging the King to trample on the liberties of the people, himself braving their indignation. Frivolous passions were the sole aim of his intrigues; to seduce a woman, to ruin a rival, he compromised, with arrogant carelessness, now the King, now the country. The empire of such a man, therefore, became daily more insulting and calamitous to the people, and so keenly did the Commons watch his actions, that if he had escaped the knife of the assassin, he would probably have fallen by the axe of the executioner.*

11. The King's Advisers after Buckingham's death. The service of despotism, which Charles lost by the death of Buckingham, was soon replaced by more dangerous, because more able, counsellors. At the close of the late session, Sir Thomas Wentworth and Sir John Saville, men of considerable property in Yorkshire, and who, by their influence, divided the county between them, went over to the court. Both these men had incurred the royal resentment; but Wentworth had more deeply offended. He had been appointed sheriff to prevent his sitting in the house, had been deprived of the office of *custos rotulorum*, and had been imprisoned for refusing to subscribe to the loan. But his attachment to the popular party was never sincere; nor was he ambitious of the admiration of his country. He began to negotiate with the court before the death of Buckingham, but it was not till after that event that he threw aside all hesitation, and openly deserted his former friends, and by the end of the year 1628, he had obtained,

Character
of Buck-
ingham.

Sir Thomas
Wentworth.

* Lingard, IX., 287; Guizot's Eng. Rev., 15; see also Clarendon's Rebellion, Book I.

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with the rank of viscount, the office of lord president of the north.* Other deserters followed; Sir Dudley Digges, Sir Edward Lyttleton, Noy, and Wandesford; with which accession of counsellors Charles made several changes in the court. Sir Richard Weston, a creature of the late duke's, became lord treasurer; Dr. Montague, whom the Commons had prosecuted, was promoted to the bishopric of Chichester; Dr. Mainwaring, whom the House of Lords had condemned, received a rich living; and Bishop Laud, already famous for passionate devotion to the principle of high power in King and church, passed to the see of London.† The King's public conduct corresponded with these court favours; tonnage and poundage were levied with rigour, and merchants who refused to pay had their goods distrained, and, on suing writs of replevin, were told by the judges that the King's right to levy these duties could not be disputed. Those irregular tribunals, the Star Chamber and the High Commission Court, still suspended the course of law; and to crown the whole, all the expeditions which had been sent to relieve Rochelle had miserably failed, and the place had been compelled to surrender at discretion. Thus the Commons re-assembled for the second session (January 20th, 1629), by no means less inflamed against the King's administration than at the commencement of the preceding session.

Laud
begins to
make
himself
prominent.

12. Second Session of the Third Parliament—Religious Grievances. The Commons immediately betrayed their spirit, by carrying a motion to ascertain what effect had been given to the Petition of Right. The King's duplicity was fully verified; but a resolution being passed, that "the business of the King of this earth should give place to the business of the King of heaven," the house first entered into the subject of religious grievances. The religious disputes which furnished such unceasing food to political discontent during the reigns of the first two Stuarts, arose out of these four causes:—

(1) *The deprivation of Puritan clergymen* by Bancroft, Neile, and Laud, who studiously aggravated every difference between them and the high churchmen.

(2) *The growth of High Church tenets*, especially the divine right or absolute indispensability of bishops, by which doctrine the high churchmen denied the name of a Christian society to the Presbyterians; yet, with ostentatious charity, acknowledged the Church of Rome as a part of the catholic church. But it was the political teaching of the high churchmen which rendered them so

* See Hallam, I., 459-473. † Lingard, IX., 295-299.

The doctrine of passive obedience. obnoxious to the Commons. They inculcated that resistance to the commands of rulers was, in every conceivable instance, a heinous sin; a tenet utterly subversive of civil liberty, and incompatible with the possession of any rights or privileges by the subject. This doctrine was laid down both in the homilies and in the canons; the court preachers were constantly affirming it, even while Elizabeth and James were actively supporting the Dutch and the Huguenots in their rebellions; and, in the present reign, they had gone so far as to say that the subject had no positive rights. Mainwaring and Sibthorpe, eager for promotion, expressly affirmed, in two sermons, that the King might take the subject's money at his pleasure, and that no one might refuse his demand on penalty of damnation. The government gave these men the most indecent encouragement; and Abbot, Archbishop of Canterbury, refusing to licence Sibthorpe's sermon, was sequestered, and confined to a country house in Kent. The House of Commons finally proceeded against Mainwaring, and he was fined, suspended, and made incapable of preferment; but the King pardoned him, and promoted both of them.

(3) *A third dispute arose out of the differences as to the observance of Sunday*, which the Puritans placed on the same footing, almost, as the Jewish Sabbath, while they refused to observe saints' days, and other holidays, because they were of human appointment. The high churchmen derided this extravagance, and, under their influence, James I. published a declaration, to be read in churches, authorising all lawful recreations after service on Sunday, such as dancing, archery, May games, and Morris-dancers, games which the Puritan would hardly allow at any time. From this time, the use of the word *Sabbath*, instead of *Sunday*, became a distinctive mark of the Puritan party.

The book of sports. (4) *The controversy concerning Arminianism*, which arose about the end of James's reign, afforded a new pretext for intolerance, and a more permanent source of hatred. The doctrines of original sin and free will, grace, predestination, and universal redemption, were the points in dispute; the Augustinian or Calvinistic view of which appears to have been first received by the early reformers, and, certainly, by their successors, under Elizabeth and James. The latter not only sent English divines to the synod of Dort, to oppose the views of Arminius, pastor of the great church at Amsterdam, and afterwards professor at Leyden, but he instigated the Dutch authorities to persecute the holders of them;* yet, within a few years, the open profession of Arminian opinions became almost a sure means of preferment in the church. What rendered Arminianism obnoxious to the Commons was, its connection with the doctrines of absolute power; the essential principle of which was, said Sir John Eliot, in the House of Commons,—that they claimed for the King, as absolute head of the church, a power resembling the Pope's infallibility; an independent state supremacy; a power over the liberty and property of the subject.† Charles, as supreme head of the church, had lately published an edition of the articles containing the much disputed clause which declared, that the church had power to decree rites and ceremonies, and had authority in matters of faith; and he had ordered that no doctrines should be taught which differed from those articles, which were to be taken in their literal and grammatical sense, especially the one on justification. Eliot made one of his stirring speeches on this publication, and the Commons entered a "vow"

* Lingard, IX., 125-130.

† Forster's Lives, II., 88.

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on the journals, in which they denounced the articles, and the Arminian and Jesuitical views which they contained.*

13. Political Grievances. The question of religion was surrendered to a sub-committee, and the patriot leaders then proceeded to inquire into the late seizure of merchants' goods. The King, meanwhile, was sending repeated messages to hasten the tonnage and poundage bill; but the Commons demanded, as a previous condition, reparation to those merchants whose goods had been seized; and they summoned before them the officers of the customs who had seized the goods. On this, Charles sent them word that *he* was the delinquent, because the officers had acted by his orders. This message produced a crisis, and the house adjourned for two days. On the 25th of February, when they re-assembled, the committee on religion brought in their report, and a long list of formidable charges against Laud was agreed to be presented to the King. Charles again ordered the house to adjourn to the 2nd of March. At the next meeting, Eliot began a most passionate invective against the whole system of government. He was interrupted by the speaker, who said that the King had again ordered him to adjourn. But Eliot produced a remonstrance he had prepared, declaring the levy of tonnage and poundage illegal, except by consent of parliament, and he desired the speaker to put it to the vote. Eliot's remonstrance. The latter refused, and rose to depart. Denzil Holles (the son of Lord Clare) and Valentine dragged him back, and, despite the efforts of the court party, who attempted to rescue him, forcibly held him in his chair, while Holles read Eliot's remonstrance, amidst tremendous acclamations. It ran thus:—

1. Whoever shall bring in innovations in religion, or by favour seek to extend or introduce Popery or Arminianism, or other opinions disagreeing from the true and orthodox church, shall be reputed a capital enemy.

2. Whosoever shall counsel or advise the taking and levying of the subsidies of tonnage and poundage, not being granted by parliament, or shall be an actor or an instrument therein, shall be likewise reputed an innovator in the government, and a capital enemy to this kingdom and commonwealth.

3. If any merchant, or other person whatsoever, shall voluntarily yield or pay the said subsidies of tonnage or poundage, not being granted by parliament, he shall likewise be reputed a betrayer of the liberty of England, and an enemy to the same.†

During this the King had come to the House of Lords. He sent for the sergeant at arms, who was not permitted to obey; the usher of the black rod followed, but the doors were shut upon him. In the extremity of rage, Charles sent the captain of the guard to

* Hallam, I., 394-404.

† Forster's Lives, II., 17.

break open the doors ; but Eliot's resolutions having now been passed, the Commons had adjourned to the 10th of March, as the King had ordered. On that day the King dissolved the parliament without sending for the Commons. He called the patriot leaders "vipers," and he issued a proclamation in which he said he should consider it "presumption for any one to prescribe to him" the calling of any more parliaments. He kept his word, and for the next eleven years he governed alone.

14. **Foreign Transactions.** Soon after these proceedings, Charles concluded a peace with France (May, 1629) and Spain (1630). But, at the same time that he concluded the latter treaty, he also concluded a secret one with Spain, for the reduction of the United Provinces ; and in the following year, he negotiated with the Catholic states of Flanders and Brabant, for the purpose of enabling them to throw off the yoke of Spain. Thus, even in his dealings with foreigners, Charles manifested that love of intrigue, and want of common honesty, with which he was afterwards reproached by his enemies during the civil war. The efforts which he made to aid his sister and her husband, the Elector Palatine, were but slight, and the cause of that prince fell with the death of the great Swedish hero, Gustavus Adolphus, in his last and greatest victory, the battle of Lutzen (November 6th, 1632).

SECTION II.—DURING THE PERIOD THAT CHARLES GOVERNED WITHOUT A PARLIAMENT. 1629-1640.

I. ARBITRARY GOVERNMENT.

15. **Imprisonment of Eliot and others.** Charles and his advisers seem to have entertained the idea, that if one system of government would not answer, another could be resorted to, regardless of the ancient laws and constitution of the country. The parliamentary system had been tried, and had failed ; the career of despotism was now entered upon, with the intention, that if this did not succeed, and necessity pressed hard, recourse could again be had to parliament, and matters remain just as they were. Vengeance was first taken on those who had been most active in opposing the

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court. Eliot, Holles, Selden, Long, Strode, Valentine, and others were committed to the Tower and to the King's Bench, and their papers seized. When they sued for their writ of *Habeas Corpus*, a return was made that they were detained for notable contempts, and for stirring up sedition, alleged in a warrant under the King's sign manual. Their counsel argued the insufficiency of this return, not only on the same grounds which had been employed in the late trial concerning the arrest of the five knights, but on the principles enacted in the Petition of Right. To this, Mr. Attorney-General Heath made a most extraordinary reply, in which he said that the Petition of Right, being a petition, was no law; and though it would be dishonourable in the King not to observe it, yet the meaning and intention of it were in his hands, and no other construction could be put upon it than what he thought proper. The judges hesitated; they feared the King, and yet dreaded the wrath of future parliaments; so they petitioned Charles to bail the prisoners. But the King forbade the latter to appear in court, so that no judgment could be given. They lay in prison throughout the long vacation, and in Michaelmas term were brought before the judges, and told that they would be bailed on finding sureties for their good behaviour. To this they resolutely objected; it implied a previous offence, and they would never admit the possibility of offending the law by liberty of speech in parliament.* In consequence of this obstinacy, the attorney-general dropped the charge against the rest, and filed a criminal information against Eliot, Holles, and Valentine; the first, for words spoken in parliament; the other two, for their violence to the speaker. They refused to plead, on the ground that the Court of King's Bench had no right to sit in judgment on their conduct in parliament. The great question of privilege was brought in issue; the question, in fact, on the determination of which the power of the House of Commons, and the character of the English constitution, depended.† The prisoners' counsel laid down these propositions:

They sue
for their
writ of
*Habeas
Corpus*.

A criminal
informa-
tion is filed
against
three of
them.

(1) That it was in the very nature of a representative assembly to have privileges to support it, and particularly freedom of speech.

(2) This privilege was sanctioned by positive authority, the speaker demanding it at the beginning of every parliament as one of the standing privileges of the house.

Arguments
in defence
of parlia-
mentary
privilege.

(3) The 4 Henry VIII. confirmed it when it annulled all the proceedings against one Strode, who had been prosecuted for what he had said in parliament;

* Hallam, I., 420-422; Lingard, IX., 294; Forster's Lives, II., 100-101.

† Forster's Lives, II., 100-101.

and though this act was a private one, yet, as it granted to Strode liberty of speech, it granted to him no more than what every other member had a right to possess.

(4) But independent of this, the liberties and privileges of parliament could only be determined by itself, and not by any inferior court, a principle which was supported by a constant series of precedents and decisions of judges.

(5) That parliament had an undoubted right to accuse persons in power, and Eliot's words amounted to no more than an accusation.

But the battle of English liberty was fought vainly as yet; the court held that they had jurisdiction, and that the prisoners were bound to plead. The latter, however, persisted in declining the authority of the court, and judgment was given that all three should be imprisoned during the royal pleasure; that before their discharge they should make their submission; and that Eliot, as the greatest offender, and ringleader, should be fined in £2,000, and the others to a smaller amount. Eliot, who had previously settled all his property on his son, in anticipation of the fate which had now befallen him, was confined in the Tower, where the damp and cold of his dungeons, together with the rigorous treatment he received (he was denied the use of a fire even in winter), brought on a disease of which he died, in 1632—a martyr to the liberties of his country. After the Restoration, the judgment against these men was reversed (1667), and the act 4 Henry VIII., commonly called Strode's Act (before referred to), was declared to be a general law declaratory of the privileges of parliament, and of the freedom of speech.*

16. Arbitrary Substitutes for Parliamentary Taxation. In pursuance of the policy which Charles and his ministers had now adopted, a series of exactions was begun, in order to compensate for the absence of the regular parliamentary grants. Tonnage and poundage were augmented, and the goods of the refractory immediately distrained. One of these, Richard Chambers, a sturdy Puritan, refused to pay the additional duty on a bale of silk, and, when examined by the council, angrily exclaimed, that in no part of the world, not even in Turkey, were the merchants so screwed and wrung as in England; for which the Star Chamber, to show its hatred and abhorrence of Turkish tyranny, fined him £2,000, and imprisoned him.†

Another mode by which the government raised a revenue, was the revival of the obsolete custom, by which all who were qualified, were bound to take up their knighthood, and pay a fine for their negligence. Charles raised £100,000 by

Death of
Eliot.

Tonnage
and
Poundage.

Composi-
tions for
knighthood

* Hallam, I., 422-425; Lingard, IX., 294; Forster's Lives, II., 102-122.

† Hallam, I., 426.

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this expedient, but he thereby estranged many of the landed gentry from his cause.

Still greater dissatisfaction was spread amongst the landholders by the attempted revival of the forest laws. Many of the royal forests had for many years been disforested, and in the possession of private subjects. Charles now claimed Revival of the forest laws. these lands; and the consequence was, that great havoc was made with private property, because no prescription was allowed to be pleaded against the crown's title. The forests of Epping and Hainault, in Essex, were so extended by these royal claims, that they were said to include the whole county. The Earl of Southampton was nearly ruined by being deprived of a large estate on the New Forest. The boundaries of Rockingham Forest were enlarged from six to sixty miles. Enormous fines were imposed on all trespassers, and many noblemen suffered severely for their encroachments.

The revival of monopolies was another lucrative source of revenue, which, by an improved plan, was so managed as to evade the letter of the law against these abuses. Monopolies. Instead of being confined to a few favoured individuals, they were given to incorporated companies of merchants and tradesmen. One of these had the exclusive privilege of making soap, for which they paid £8 on every ton of manufactured soap, as well as £10,000 for their charter. In a few years, the King deprived them of their charter, and granted the monopoly to a new company, in which dishonest spirit he dealt with all the other companies that were formed. In 1639, when he began to feel the necessity of diminishing the public odium, he revoked all these grants; and he annulled, at the same time, a number of commissions which he had issued, in order to obtain money by compounding with offenders against penal statutes.*

A further expedient for raising money was, the extortion of fines for disobedience to proclamations, which inter-meddled with all matters of trade, prohibited or restrained the importation of various articles, and the home-growth of others, and established regulations for manufactures. Fines for disobedience to proclamations. They fixed the price of the most common articles; all tradesmen and artificers within London, and three miles round it, were incorporated, and every one was fined who carried on a business contrary to this order. The erection of houses was also forbidden; which Charles knew was clearly illegal, the judges having so

* Hallam, I., 430.

decided when James issued similar proclamations. On the security of this decision, many new houses had been built in London; but all their owners were now fined, and some were even ordered to demolish their houses, in order that St. Paul's Cathedral might be shown to more advantage. The King is said to have raised, by this single species of oppression, £100,000.* Another proclamation ordered all persons who had residences in the country to quit the capital and repair to them, under heavy penalties; and the corporation of London was fined £70,000 for certain alleged breaches of their charter, by which they held their great plantation in the county of Derry.

17. *Ship Money.* All these enormous abuses, however, affected individuals only; there was another which soon extended itself over the whole kingdom. Noy, flattered by the praises which the ministers bestowed upon his learning and ingenuity, was stimulated to search in the Tower for certain dusty old records, which showed that the seaports and maritime counties had, in early times, been called upon to furnish ships for the public service, and that even inland places had been, sometimes, similarly taxed. From these documents he devised a plan by which a powerful fleet might be procured without any additional charge to the revenue. It happened, just at that juncture, that the right of England to the dominion of the narrow seas was disputed; the English fisheries were annually invaded by the Dutch and French mariners; unlawful captures were made by the cruisers of the continental belligerents; and Turkish corsairs occasionally carried off slaves from the Irish coasts. These aggressions were the open, but a new treaty with Spain against the United Provinces was the secret, pretext for the issue of the writs. They were first published in October, 1634, and were sent to London and other seaports, ordering them to supply a certain number of ships of a specified tonnage, sufficiently armed and manned, to rendezvous at Portsmouth on the 1st of March next, and to serve six months under the King's admiral. The citizens of London remonstrated, and pleaded their freedom from such a charge by virtue of sundry charters and acts of parliament; but the imprisonment of those who refused to pay soon enforced obedience, and the city had to pay £35,000. The success of the experiment induced the council, at the suggestion of Finch, chief justice of the Common Pleas, (Noy died in the meantime, August, 1634), to extend the writs from the seaport towns to the whole kingdom. Writs were, accordingly, directed to the

* Lingard, IX., 304, Note; Hallam, I., 445.

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sheriffs, informing each that his county was assessed at a certain number of ships for the fleet for the ensuing year; that the charge was estimated at a certain sum, which he was to levy on the inhabitants in the same way that they levied subsidies. By this contrivance the King obtained a yearly supply of £218,500.* Such an extraordinary demand, however, startled even those who had hitherto sided with the court. Some symptoms of opposition were shown in different places, and actions brought against those who had collected the money; but the greater part yielded, some to escape punishment, some with the idea that the tax was not heavy, and would not be repeated, some in the hope that the money would be honestly applied to public purposes, and others in the belief that the tax must be legal, or it would not have been allowed by the judges. Still, because of opposition, Charles was anxious to have the legality of the tax established by the decisions of the courts of law; and by the aid of Finch, who was made lord chief justice of the King's Bench for the purpose, he obtained from the judges a unanimous opinion, that, in cases of danger to the good and safety of the kingdom in general, the King could impose ship money for its defence, and lawfully compel every one to pay; and that he was the sole judge of both the danger and the means for preventing it (February, 1636).† The judges gave this opinion freely, supposing it had been required for the King's private satisfaction only; to their astonishment it was publicly read in Star Chamber, and ordered to be enrolled in the courts, and read at the assizes. The ministers were resolved to make the most of the decision. If it is lawful to impose a tax for the navy, wrote Strafford, then lord deputy of Ireland, "it must be so for an army; if it is lawful in England, it must be so in Scotland and Ireland. The decision, therefore makes the King absolute."‡ But there still existed a few intrepid persons, who were not content that the liberties of their country should perish thus silently; and who were determined that, at all events, the judges should make a public avowal of their shame.

The judges
decide that
the tax is
lawful.

18. Trial of John Hampden for refusing to pay Ship Money. The first who resisted was the gallant Richard Chambers, who brought an action against the lord mayor, for imprisoning him on account of his refusal to pay the assessment on a former writ. The magistrate pleaded the writ as a special justification; and

* Lingard, IX., 331.

† Hallam, I., 435; Lingard, IX., 332.

‡ Strafford Papers, quoted in Lingard.

Berkeley, one of the judges in King's Bench, would not allow counsel to argue against the lawfulness of ship money. The next were Lord Say and Mr. Hampden, both of whom appealed to the justice of their country; but, as the latter enforced that discussion of the subject which the court had hitherto evaded, his name alone is connected with it.

John Hampden, born in London, 1594, was descended from an ancient Saxon family, which derived its name from an estate in Buckinghamshire, granted to it by Edward the Confessor. His family, also, had large possessions in Essex, Berkshire, and Oxfordshire, and had always held a high position amongst the landed gentry. His mother was the second daughter of Sir Henry Cromwell, of Hinchinbrooke, in Huntingdonshire; and aunt to Oliver Cromwell. He received his education at Oxford, whence he removed to the Inner Temple. Soon after his marriage (1619), he entered the House of Commons as member for Grampound; but he afterwards sat for Wendover. He attached himself to the popular party from the first, although he had certain prospects of a peerage if he had joined the court; but he saw a nobler dignity in store for him, and he prepared himself for it by a constant study of the great political questions of the time, and of the laws and constitution of his country.*

Life of Hampden. and character. He was a man so quiet, so courteous, so submissive, that he seemed the last person in the kingdom to oppose the opinion of the judges; and, being respected by all his neighbours, of whatever party, as a sensible man who, though opposed to the prevalent system, was not fanatic nor factious, had hitherto been spared by the magistrates in their assessment of ship money. But under this appearance of humility and diffidence, he veiled a correct judgment, an invincible spirit, and the most consummate address. In 1626, he had suffered imprisonment for refusing to contribute to a forced loan, justifying his refusal by the danger of drawing upon himself the curse pronounced against the violators of Magna Charta; and now (1636), in a similar manner, he ventured to meet his sovereign in a court of law, merely, as he said, to obtain a solemn judgment on a very doubtful question.

It is plain that his real object was to awaken the people from their apathy, by the public discussion of a subject which so nearly concerned their rights and liberties. The sum demanded from him was only 20s., being the assessment upon a portion of his property situate in the parish of Stoke Mandeville. The question,

* Forster's Lives, III., 310-311.

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though properly belonging to the Court of Exchequer, was argued, on account of its magnitude, before all the judges in the Exchequer Chamber. "The precise question, so far as related to Mr. Hampden, was, whether the King had a right, on his own allegation of public danger, to require an inland county (Buckingham) to furnish ships, or a prescribed sum of money by way of commutation, for the defence of the kingdom?"* Pym and St. John were Hampden's close counsellors in the interval before the public trial, and six months were passed in preparations on both sides. St. John and Holborne were Hampden's counsel, and they managed the affair with the same prudence that he himself had shown, speaking of the King and his prerogative with profound respect, avoiding all declamation, all hazardous principles, resting solely on the laws and history of the country. The solicitor-general, Littleton, and the attorney-general, Banks, were the crown lawyers. The trial began November 6th, 1637.

The trial.

The chief points in the arguments of the defendant's counsel were these:—

1. *The law and constitution of England had provided for the public safety and protection, by*

- (1) The military tenures which furnished an army:
- (2) The tenures of the Cinque Ports, and other maritime towns, which furnished the royal navy:
- (3) The crown revenues and the fiscal prerogatives:
- (4) And the parliamentary supply.

The defence.

2. *The Kings of England possessed no general right of taxation, as was proved by*

- (1) The exaction of loans and benevolences; for a sovereign who had the right to exact money would never condescend to borrow it, or ask for it as alms.

(2) The charters and statutes, which, from William the Conqueror, downward, had expressly declared that no general taxes should be levied without general consent; and, though the statute *Confirmatio Chartarum* had excepted the accustomed aids and prizes from this general law, ship money could not be reckoned amongst these, as the statute had been enacted purposely to prevent levies for the custody of the sea which the sovereign had made the year before; but the statute *De Tallagio* omitted this saving clause, and many subsequent laws distinctly asserted the general principle without any exception.

(3) Numerous precedents, one of which exactly met the present case, and showed that, if the kingdom was in danger, as the King alleged, parliament ought to be summoned to provide for the emergency. In the 2 Richard II., when the realm was in imminent danger of an invasion, an assembly of peers was convoked, in the absence of parliament, who lent their money for the public service, but declared they could vote no supply without the sanction of the Commons, and advised the speedy summoning of parliament. But, in the case before the court, no plea of imminent danger and urgent necessity could be brought forward by the crown, because the writs for ship money were issued

* Hallam, I., 436.

six months before the ships were wanted—an interval quite sufficient for the assembling and consulting of parliament.

3. But, setting aside all previous statutes and precedents, *the exaction of ship money was a plain violation of the Petition of Right.*

In answer to these arguments, the King's counsel appealed to the series of records which the diligence of Noy had collected. Most of them, Arguments of the crown. however, were commissions of array, which had been issued in very early times, when, as Holborne said "the government was more of force than law;" and, as St. John observed, "all things concerning the King's prerogative and the subjects' liberties were upon uncertainties." But statutes had been enacted since, prohibiting unparliamentary taxation; and to these the King's counsel could make no answer. They, therefore, resorted to their favourite topic—the intrinsic, absolute authority of the King; parliament could not limit his prerogatives, and the imposition of money was one of them.

The hearing of these arguments occupied thirteen days; but the decision of all the judges was not delivered before the 12th of June, 1638. The decision. Seven pronounced in favour of the crown; of the remaining five, two, viz., Hatton and Coke, denied the right claimed by the crown, the other three deciding against it on technical grounds only, but giving an opinion in its favour on the general question.

The length to which this important cause was thus protracted, was extremely prejudicial to the crown, because the attention of the whole kingdom was thereby directed to it, and the convincing arguments of St. John and Holborne, but still Effect upon the country more the speeches of the judges and the sentiments expressed by the crown lawyers, increased men's natural repugnance to so unusual and dangerous a prerogative. The alarming tenets which had hitherto found open shelter only among the courtiers and high churchmen, now resounded in the halls of justice; no limitations on the King's authority could exist except by his sufferance, and if his prerogative rights could justify ship money to-day, to-morrow they might serve to supersede all laws, and maintain without dispute the utmost stretches of despotic power. The discontent, therefore, which had hitherto been tolerably smothered, was now displayed in every county, and though the council persisted in exacting payment with rigour, so many refused to pay after this, that it was found impossible to punish them. Laud, writing to Strafford, says, that the factions had grown very bold; that the money came in but slowly; and that the trial had put thoughts into men's heads which they had not entertained before.* And Clarendon says, that the decision was of more advantage to the gentleman condemned, than to the King's service, because

* Strafford Letters, II., 170.

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people who had before given cheerfully, now refused to pay. Yet the King and his courtiers blindly congratulated themselves on the decision as the decisive triumph of arbitrary power.

19. **Proceedings of the Court of Star Chamber.** The foregoing exactions, by which Charles raised a revenue, form the chief charges against his government, so far as relates to its inroads upon the property of the subject. It now remains for us to notice that court whose severity and vigilance maintained these acts of arbitrary power. Since the time of Elizabeth, the Court of Star Chamber had considerably extended its authority, with increased violence and tyranny. The civil jurisdiction claimed by it, was only in such particular cases as now belong to the court of admiralty;* but civil suits now came less frequently before it, and criminal ones oftener. It was this criminal jurisdiction which made it so terrible. Forgery, perjury, riot, fraud, libel, conspiracy, maintenance,—whatever, by legal ingenuity, could be tortured into a contempt of royal authority, were brought before it.† The process was summary. The accused was examined privately, and if it was thought that he had confessed sufficient, he was at once condemned, without any formal trial, or written process. But the more regular course was, by information filed at the suit of the attorney-general, or of a private relater, and then the mode of proceeding nearly resembled that of chancery. Any punishment short of death might be inflicted by the court; but fine and imprisonment were the most usual. The pillory, whipping, branding, and cutting off the ears, grew into use by degrees. In the infliction of fines, the most enormous sums were exacted; a punishment directly contrary to Magna Charta.

Increase of
its criminal
juris-
diction.

Punish-
ments
inflicted
by it.

One Allington was fined £12,000 for marrying his niece; another, £5,000 for sending a challenge to the Earl of Northumberland. A third, for saying the Earl of Suffolk was a base lord (which was declared to be an offence against an old and forgotten law, called *Scandalum Magnatum*) was fined £8,000. Sir David Forbes for opprobrious words against Lord Wentworth, incurred the same penalty. Another man was fined and put in the pillory for refusing to sell his corn in a season of dearth, at the price which the overseers of the poor offered him. But the punishments were frequently not only severe, but downright wicked; inflicted because the victim had provoked the malice of a powerful adversary, or annoyed the government. *Leighton*, a Scottish divine, having published a book called "An Appeal to Parliament, or Sion's Plea against Prelacy," in which he declared episcopacy to be Satanical, and the bishops men of blood, was brought up by Laud before the Star Chamber (June, 1630), and punished in the following horrible manner. He was publicly

Leighton.

* See "England under the Tudors," p. 303. † Hallam, I., 433.

whipped, placed two hours in the pillory, had an ear cut off, a nostril slit open, and a cheek branded with the letters S. S., to denote a "Sower of Sedition." All this he underwent in one day, and at the end of a week the punishment was repeated. He was fined £10,000; and for the next ten years lay in the Fleet Prison, till the Long Parliament released him.*

Williams, Bishop of Lincoln, once lord keeper, and the favourite of James I., was another victim of this court's severity. When he was in power, he had brought Laud forward; but that ungrateful prelate soon became his rival, and persecuted his benefactor with rancour and malignity. Not content with having banished Williams from court, Laud harassed his retirement by repeated persecutions; and, in 1637, caused him to be brought before Star Chamber, which degraded him from the episcopal office, imprisoned him during the King's pleasure, and fined him £10,000. His papers were then seized, and among them were found two letters addressed to him, from Osbaldiston, the master of Westminster School, in which Laud was called "the little urchin," and "the little meddling hocus-pocus." It did not appear that Williams had ever divulged these letters, but it was held that the concealment of a libellous letter was a high misdemeanour; he was, therefore, fined £8,000; and he lay in the Tower until released by the Long Parliament. Osbaldiston was condemned to the usual punishment, but he had the good fortune to escape. Lilburne, afterwards the great leader of the Levellers, for dispersing pamphlets against the bishops, was whipped, set in the pillory, and treated with the customary cruelty.

Prynne, a lawyer of uncommon erudition, and a zealous Puritan, published a large book, called *Histrionmastix*, full of invectives against the theatre, and sustained by a profusion of learning. In the course of the work he alluded to the appearance of courtesans on the Roman stage, and, by a satirical reference in his index, placed all female actors in the class. Six weeks after the publication, the Queen performed in a mask at the court, on which Laud's chaplain, Peter Heylin, whom the archbishop had ordered to read the book, pointed out this passage, and poor Prynne, already obnoxious, was brought before Star Chamber. He was sentenced to stand twice in the pillory, to be branded in the forehead, to lose both his ears, to pay £5,000, and to suffer perpetual imprisonment. In the gaol he wrote a fresh libel against the prelates—"News from Ipswich," and found two able coadjutors in two fellow prisoners, Dr. Bastwick, a physician, and Burton, the minister of Friday-street Church. When brought before the court, the conduct of these three being that of men who despaired of mercy, was declared contumacious; and, on the 30th of June 1637, they stood in three pillories, in Old Palace Yard, and then had their ears cut off and their cheeks branded. A great crowd watched these horrible proceedings, "silent," mainly, and looking pale.† Prynne had had his ears sewn on again after the former abscission, so that he lost them now a second time. In addressing the people, he defied all Lambeth (meaning the archbishop and hierarchy) with Rome at the back of it, to argue with him, William Prynne, alone, that these practices were according to law; "and if I fail to prove it," said he, "let them hang my body at the door of that prison there,"—the Gate-House prison. On which the people gave an ominous shout.‡ The conduct of the crowd, at these barbarous exhibitions, alarmed the archbishop, but only prompted him to employ additional severity. He obtained an order for their imprisonment in separate prisons, at Leicester, Carnarvon,

Prynne,
Bastwick,
and Burton

* Lingard, IX., 306.

† Carlyle's *Cromwell's Letters and Speeches*, I., 73.

‡ Ibid.

1633-38

and Launceston. But their departure from London, and their reception on the road, were marked by signal expressions of popular regard; their friends resorted to them, even in those distant places, and they were, therefore, transported to other and less accessible dungeons. Prynne was sent to Mont Orgeuil, in Jersey; Bastwick to the Isles of Scilly; Burton to Cornet Castle, Guernsey. It was the very first act of the Long Parliament to restore these victims of tyranny to their families.*

20. Laud's Church Policy. One of the great objects of the bishops and high church clergy was the release of the church from the bondage of the royal supremacy, and no sooner was Laud appointed to succeed Archbishop Abbott in the primacy (1633), than he set himself vehemently to work to establish the church's claims.† It was essential, in the first place, that perfect uniformity of doctrine, discipline, and worship should be established within the church itself. The means that Laud adopted, though perfectly in keeping with his character and principles, were such as could have no other tendency than the nourishment of disaffection. All power was concentrated in the hands of the bishops; the authority of the High Commission Court was increased, and its penalties were made more severe. The prosecutions for nonconformity were revived in their utmost strictness; and all livings in the hands of nonconformists were taken from them. As the people crowded to hear their sermons, they were forbidden to preach; if they travelled from town to town, persecution followed them; they became chaplains and tutors in private families; but even here their tormentors reached them, and punished their patrons.‡ Thus proscribed everywhere, they escaped to France, Holland, and Germany, glad if they managed to avoid mutilation. Working men, emigrants from those countries, had received charters, granting to them the free exercise of their religion, when they first settled in England; these charters were now withdrawn, and from the diocese of Norwich alone there returned to their mother country 3,000 mechanics. The timid who remained at home, though willing to concede much, were not left unmolested. They must concede all. If they objected to a form, or ceremony, or doctrine, the answer was, that it was so important that they must not depart from it; or it was so unimportant as not to be worth opposition. Those who still objected were brought before the High Commission Court, or the bishops' courts, where they were insulted, and called by every opprobrious epithet.‡ The

Church to be independent of the state.

Persecutions of the Nonconformists.

* See Hume, VI., 306-312.

† Guizot's Hist. of the Eng. Rev., 50-51.

‡ See the case of Mr. Workman, of Gloucester, Neale's Puritans, II., 340.

most obnoxious, if not the most indefensible, of these prosecutions, were those for refusing to read the Book of Sports, the proclamation so called lately issued. While the archbishop was thus driving away so many faithful and conscientious men, for not conforming to the liturgy of the church in every minute particular, he was

Laud's
popish in-
novations.

himself "injudiciously, not to say wickedly," introducing into the faith and worship of the church innovations, by which, "to raise up new victims whom he might oppress."*

These innovations he made without consulting anybody, except the King, and sometimes he made them by his own sole authority.† The communion table was railed off, and called an altar; the officiating priest wore embroidered robes; the use of images and pictures was advocated and encouraged, and the doctrine of the real presence and prayers for the dead were inculcated. At the same time the doctrine of the divine right of bishops was made a practical reality. The bishops held their ecclesiastical courts no longer in the name of the King, or by

The
spiritual
courts act
with inde-
pendent
authority.

virtue of his authority, but in their own name; their own seal, and no other, was affixed to their acts; and the superintendence of the universities was declared of right to belong to the primate. While the bishops were thus gradually throwing off temporal restraint, they were encroaching upon civil affairs; and never, even in the old Roman Catholic times, had so many ecclesiastics held seats in the King's council, or occupied the high offices of state. The lawyers rose against these encroachments, but Charles felt too much confidence in Laud to give heed to their remonstrances, so much so indeed, that in 1636, he gave the white staff of lord high treasurer to Dr. Juxon, Bishop of London, at the request of the primate. This appointment gave so much satisfaction to Laud that, in the transport of his joy, he wrote in his diary (March 16th, 1636), "Now let the church subsist and sustain her own power herself; all is accomplished for her; I can do no more."

21. *Tendencies of the Court towards Romanism.* These severe proceedings of the court and hierarchy became more odious on account of their suspected leaning, or at least notorious indulgence towards Popery. The policy of Charles was to connive at the domestic exercise of the Catholic religion, and to allow recusants to pay compositions for the privilege; he also connived at the

* Hallam, I., 474.

† See the account of the consecration of St. Catherine's Church, in Hume. VI., 287-289.

1638

great resort of Catholics to the Queen's chapel in Somerset House, where the Romish service was celebrated with so much ostentation as to give great scandal to the people. No one can question the justice of this toleration of Roman Catholics; but, unfortunately for Charles, the bitter persecution of the Puritans prevents us from ascribing to him any credit for acting upon wise and liberal principles in this matter. In 1634, he had been persuaded by the Queen, and probably by Laud (who tells us in his diary on the 4th, 17th, and 21st of August, 1633, that he had been offered a cardinal's hat), to receive privately, as an accredited agent from Pope Urban VIII., an Italian secular priest named Panzani, whose ostensible instructions were, to effect a reconciliation of some violent differences which had long subsisted between the regular and secular clergy of his communion. Charles's object, however, was to withdraw the Pope's opposition to the oath of allegiance, which had long placed the Catholic laity in a very invidious condition. But the Pope would make no concession which in any degree tended to impair his temporal authority in England. Panzani, however, was openly received by the Queen, and by Secretary Windebank and Lord Cottington, open Roman Catholics. These two ministers, together with Montague, Bishop of Chichester, even went so far as to negotiate with him for the purpose of reconciling the English church to that of Rome; and they alleged that both the primates, as well as the great majority of the bishops, and many of the clergy, were prepared to acknowledge a spiritual supremacy in the Pope.* Whilst these and other negotiations with Romish agents were going on, the church was approximating more and more towards popery in her tenets, and still more in her sentiments and exterior worship. The Duke of Devonshire's daughter having turned Catholic, Laud asked her what reasons had induced her to do this. "I hate to be in a crowd," she replied, "and as I perceive your grace and many others are hastening towards Rome, I want to get there comfortably by myself before you."† Besides the innovations before noticed, Laud introduced several others, and he publicly declared that in the disposal of benefices, he should, where the merits were equal, prefer single before married priests. Hall, Bishop of Exeter, was censured for having called the Pope Antichrist; Andrews, of Winchester, openly taught that the fathers of the fifth and sixth centuries were all but infallible; and the English ambassador in France was ordered not to attend

Catholics
are
tolerated,
but Puri-
tans are
persecuted.

Secret
negotia-
tions with
Rome.

* Lingard, IX., 315; Hallam, I., 487.

† Hume, VI., 287.]

the Huguenot Church at Charenton, because the Huguenots, having abolished episcopacy, were not a Christian community.*

The Reformation had been conducted with lamented, and the first reformers were held up to odium; the alienation of the monasteries was branded with the name of sacrilege; and Spelman, an antiquary of eminent learning, was led by bigotry, or subserviency, to compose a wretched tract, called "The History of Sacrilege," with a view to confirm the vulgar superstition, that the possession of those estates entailed a curse on the usurper's posterity.† But the exceeding boldness of the Catholics, and their success in conversions, at last roused the primate to some apprehensions, and he preferred a formal complaint to the King in council against the resort of papists to the Queen's chapel, and the insolence of some active zealots about the court. The Queen never forgave him for this. He also republished, with additions, the account of his celebrated conference with Fisher the Jesuit, which had occurred many years before, at the desire, and in the presence of, the Countess of Buckingham, the duke's mother. There seems, indeed, to be

no doubt of the fact, that Laud retained an unabated hostility to popery, in the midst of all his innovations, his object being to gain over the Catholics to his own half-way Protestantism, by concessions to their religion. Evelyn says that the Jesuits of Rome spoke of him as their bitterest enemy.

22. State of the Country, and general tone of public opinion at this period. In spite of these acts of oppression and persecution,

on the part of the government, the people had grown remarkably prosperous and affluent. Rents were higher, and more land was cultivated; the manufacturing towns and the seaports were more populous and flourishing; the metropolis rapidly increased in size, in spite of all the proclamations against new buildings; and the country houses of the superior gentry were everywhere built on a more magnificent scale. All this was owing to the spirit and industry of the people; the just administration of the laws between man and man, by which the subject was secured from all oppression save that of the crown; the opening of fresh channels of trade in the eastern and western worlds; and, above all, to the long tranquillity of the kingdom. The court had, by its monopolies and arbitrary proclamations, and by the persecutions which drove industrious manufacturers out of the kingdom, done as much injury as it could to the freedom of

* Hallam, I., 483.

† Ibid, 484.

1638

trade; and the discontents which existed were caused by its misconduct, together with that of the church.* When Laud became archbishop, Clarendon tells us that "the general temper and humour of the kingdom was little inclined to the papist, and less to the Puritan;" neither was there any considerable number of persons of good condition who wished for an alteration of government, or change of discipline and doctrine in the church. The change which became so visible in a few years was caused, he says, by Laud's passionate and imprudent conduct, and the increasing wickedness of Charles's bad government. This discontent was universal. The higher classes manifested it in a distaste for the court, and a freedom of mind hitherto unknown. Those who remained in London, and about the throne, held meetings, where, with men of letters, they discussed public affairs, moral science, and religious problems. Young men, fresh from their travels or the universities, students from the Temple, lawyers, philosophers, and all men of serious and active minds, whose rank and fortune gave them opportunity, here assembled. Such meetings as these had been common ever since the reign of Elizabeth. But in her days they were convened under the patronage of the court, and fetes, plays, masques, and literary conversation, were the only pastimes. In the days of Charles it was no longer thus, and, even in the reign of James, these meetings had become political as well as literary. One of the most memorable places where they were held was, the house of the great antiquary, Sir Robert Cotton, in Westminster, where the men of learning and of action, the intellectual and moral power of England, met for a common purpose—the formation of a popular party to withstand the constant encroachments of the crown upon the laws and constitution of the realm, and the rights and liberties of its subjects. Here it was that the Pym and the Seldens leagued; Camden, Coke, Noy, Stowe, Spelman, Philips, Mallory, Digges, Usher, Holland, Carew, Fleetwood, and Hakewell, acknowledged a common object here; and the famous library of their host furnished them with precedents from which their memorable resolutions were taken.† Such a "mansion-house of liberty" was the residence of Lord Falkland, at Tew, or Burford, near Oxford, where Selden, Hyde, and Chillingworth, the

How the
general
discontent
arose.

Political
meetings.

Sir
Robert
Cotton.

Lord
Falkland.

* Hallam, I., 500.

† Forster's Lives, III., 7. Cotton's library, being such a powerful agent on the side of liberty, was seized by the government. The owner died of a broken heart in consequence.

famous author of "The Religion of Protestants a safe way to Salvation," and all the eminent men of the day, assembled to exchange ideas, to discuss philosophical theories and principles of government, and to excite each other to labour for that reform in church and state, which all men saw was the only remedy for the national troubles.*

Amongst the inferior gentry, opinions were connected with interests, passions with opinions. No theories occupied them; the House of Commons filled their thoughts, as representing the only means by which public liberty was to be regained, and they only hated the bishops because they upheld tyranny. The citizens of the towns, and the freeholders generally, went farther than this, their indignation being excited more particularly by religious matters. The common people shared this indignation with them. They desired a further reformation in the church, a further departure from Romish practices and superstitions, and some, like the Brownists, or Independents, rejected all church government whatsoever, and proclaimed the right of every congregation to regulate its own worship upon purely republican principles. It was these men against whom the bitterest persecutions were directed, and, in consequence of this, they fled in great numbers to Holland. But the state of Europe was not such as to encourage their emigration to the continent; and the love of their country struggled too much with their desire for liberty to allow them to remain; they, therefore, concerted with their friends at home to go together in search of a new country, which belonged to England, and where only English people were to be found. Those at home then bought a vessel, which they equipped and provisioned, and, under the charge of one of their ministers, went to join their friends in Holland, whence they proceeded together to Massachusetts Bay, which they had obtained by charter from the crown in 1629. It often happened that the ship was not large enough to contain all of one company, in which case the minister of the congregation remaining at home preached a farewell sermon, which was answered by a sermon from the departing minister; they then prayed together before the final departure. Thus left England the Pilgrim Fathers, without any let or hindrance from the government, about three hundred and fifty going in the first expedition. But so many followed in subsequent years, and so much money was taken out of the kingdom by the emigrants

The
Pilgrim
Fathers.

1638

(half a million, it is said), that the government suddenly prohibited any further departures, by an order in council (May 1st, 1638); and arrested eight ships then in the Thames, filled with Puritan families, bound for New England. It is said,* that on board one of the vessels were Pym, Hampden, Cromwell, Haselrigg, and Say; but the statement rests on no good authority, and is, moreover, contradicted by the fact that the vessels were afterwards allowed to proceed on their voyage, "upon the humble petition of the passengers."†

The truth is, that these men perceived too clearly the gradual approach of a crisis, to fly from tyranny and secure their own safety at that particular juncture. It was just after the decision about ship money had been given, when Hampden was "the argument of all tongues," and, therefore, not a very likely time for him to think of escaping to America. Discontent had now fearfully extended; the establishment of law and justice, even the abolition of episcopacy, were not the only subjects of men's thoughts; for daring sects had grown up on every side, Rise of the sectaries. men forming themselves into different religious bodies, according to the different grounds of their objections to the established church. These sects, in spite of Laud's most active inquisitions, persisted in assembling, in cellars, in barns, in the woods; passing together long hours, often whole nights, in prayer and psalmody, praising the Lord at the same time they cursed their enemies. The dismal character of their proceedings soon threw a gloom over their minds; they became fanatics; and, as the national resentment against the government protected them from their persecutors, they took advantage of the popular favour, and openly dared to mark themselves as sectaries by a peculiarity of dress and manners. Clothed in black, the hair cut close, the head covered with a high-crowned, wide-brimmed hat, they were everywhere objects of respect to the multitude, who gave them the name of saints. In the eyes of these men, the reformation of the constitution, and the establishment of law and liberty, were but of secondary importance; the reformation of religion being with them the highest object. The credit which they acquired with the people led those whose characters were ruined, and standing gone, to assume their dress, air, and language, and thus obtain, by hypocrisy and cunning, welcome and protection from the public.‡

* Hume, VI., 309. † Forster's Lives, III., 81-82.

‡ Mrs. Hutchinson's Memoirs; Guizot's English Revolution.

II. THE AFFAIRS OF IRELAND.

23. Charles promises "Graces" to the Irish. It will be remembered that, under Elizabeth and James, the Irish had been compelled to surrender their estates to the crown, in order to receive them again by a legal tenure. But the new grants were not enrolled in chancery, although the proprietors had paid heavily for that security, and the lands were, therefore, declared forfeited, at the close of the reign. To quiet alarm, Charles agreed to compromise the matter, by granting *graces* to the Irish, on condition of their paying him £120,000 in the course of three years.

These *graces* went to secure the subject's title to his lands, against the crown, after sixty years' possession. They gave the people of Connaught leave to enrol their grants, and relieved the settlers, in Ulster and elsewhere, from the penalties they had incurred by similar neglect. The abuse of the council chamber in meddling with private causes, the oppression of the Court of Wards in compelling Roman Catholic heirs to be educated in the Protestant faith on pain of losing their inheritance; the encroachments of military authority, and the excesses of soldiers, were all likewise restrained. Other privileges were granted, as the freedom of trade, and indulgences to the recusants, which allowed them to practise in law courts on taking an oath of mere allegiance, instead of that of supremacy.

These reformatations of unquestionable and intolerable evils, as beneficial as those contained in the Petition of Right, would have saved Ireland long ages of calamity if they had been faithfully completed. But Charles behaved on this occasion with his usual perfidy. It had been promised that the *graces* should be confirmed by parliament, and consequently the lord deputy, Lord Falkland, issued writs for its election, but without first obtaining the King's formal licence, as required by Poyning's law. The English council, therefore, declared the writs void; no parliament was held; and when three years had elapsed, and the money was paid, Charles threatened to straiten the *graces* unless the Irish paid a further sum. The lord deputy was too honest a man to be a party to such dishonourable practices; and he was recalled, to make way for Lord Wentworth, a more willing and able instrument of despotic power.

24. Wentworth's Administration. The new deputy accepted his office without resigning another appointment which he held, that of lord president of the north, and he soon evinced that

The *graces*
are
withheld.

1638

obstinacy of purpose and austerity of disposition which had hitherto marked his character. He maintained that Ireland was a conquered country, and that the inhabitants could not therefore possess any rights or privileges except by the indulgence of the crown. He found the two parties in the country extremely jealous of each other; the Protestants violently objecting to the graces, and the renewal of any contributions from the recusants for them. But he terrified this party into compliance, and prevailed upon the Catholics to pay the contribution for another year, when he promised that a parliament should be held. Charles was alarmed at the idea of another parliament being summoned, even in Ireland; but Wentworth assured him that it should prove both innoxious and serviceable. The King and his instrument conspired together, in fact, how to extort the most from Ireland, and concede the least; Charles caring more for his revenue than for the faithful fulfilment of his promises.

Ireland to
be treated
as a con-
quered
country.

When the parliament met (July, 1634), Wentworth, having already taken measures for securing a majority in favour of the crown, announced that two sessions would be held, the first for the benefit of the King, the second for that of the people, when the graces should be confirmed. On the strength of this promise the Commons voted six subsidies (£240,000); but when the second session came, Wentworth set aside the most important of the graces, on the ground that the King's conscience and honour would not permit of their enactment. This faithless policy was immediately followed up by acts of violence. All the proprietors in the province of Connaught were required to submit their titles to the decision of juries, who were compelled to find a verdict for the crown, on pain of fine and imprisonment; and when the proprietors sent delegates to London to remonstrate with the King against these proceedings, and to offer a composition for peaceful possession, Charles sent the delegates prisoners to Dublin. Three-fourths of the lands in Connaught were then returned to their possessors, and the remainder (120,000 acres) reserved by the crown, to be planted with Englishmen, on conditions very advantageous to the royal exchequer.

The graces
again
promised,
and again
withheld.

The despotic violence of Wentworth towards those who opposed his arbitrary proceedings was a further source of discontent. The slightest resistance to his will was sufficient to mark the offender for ruin. He and Laud agreed upon the same policy, and used

one motto as its representative. In their view, the King's service demanded measures of greater energy; the severities even of the reign seemed to them feebleness and excessive lenity; they were for rejecting all half measures; their system was "*Thorough*," as their correspondence constantly expressed; the complete subjugation of all, and the enforcement of obedience by sure and terrible punishment. They were conspiring, in fact, for the entire subversion of the laws and liberties of their country, and for the establishment of absolute and despotic power. This policy was that which marked Wentworth's rule in Ireland. He governed arbitrarily, harshly, sternly; yet he restrained the violence of faction, prevented the aristocracy from oppressing the people, improved the army, and kept it under good discipline, extended commerce, established the great linen manufacture of Ulster, and promoted agriculture. But with all these results, he neither reconciled the religious factions nor secured the affections of the people for English rule; and instead of healing the wounds he found, he left others to break out after his removal.* When those proceedings in the Long Parliament began which ultimately led to his execution, the Irish coalesced with his English enemies to consummate his destruction, and the Irish Commons presented a remonstrance against him to the Long Parliament.†

III. THE KING'S GOVERNMENT IN SCOTLAND.

25. **Attempts to overthrow the Kirk and establish Episcopacy.** The restlessness which existed in Scotland at the death of King James was not likely to be subsided by the rule of such a sovereign as his son and successor, who determined to follow up his father's policy. To increase his own revenue, and provide a better maintenance for the clergy, Charles early attempted to resume the ecclesiastical property, which had fallen to the crown at the Reformation, but which had been alienated during his father's minority. He partly succeeded; but thereby estranged from him the most powerful families; and when he visited Scotland, and was crowned, in 1633, certain proceedings with regard to religion, which he forced the parliament to confirm, considerably increased the ill feeling which already existed. His prosecution of Lord Balmerino still further aggravated this.

* Hallam, II., 549. † Ibid, I., 462-463; Lingard, IX., 335-344.

1637

Balmerino had retained in his possession a copy of an apology which he and other peers had intended to present to Charles during the late parliament, but from which they had desisted, in apprehension of his displeasure. This copy was obtained from Balmerino clandestinely, and as it contained some expressions not very flattering to the royal ear, he was indicted on the statute of leasing-making, for having concealed a slander against his majesty's government. A jury was returned with gross partiality; yet so outrageous was the attempted violation of justice, that Balmerino was only convicted by a majority of eight against seven (1635). Judgment of death, the sentence to which Balmerino was liable by this conviction, was not pronounced, because the government apprehended popular violence; but such an infamous stretch of power did the king no good, and the people already talked of banding together in defence of their liberties and their kirk.

Prosecu-
tion of
Lord
Balmerino.

It was religion alone which at last excited the Scottish nation to rebellion. Like his father, Charles had left no means untried, in order to overthrow the kirk and re-establish episcopacy. He revived the bishoprics which his father had instituted; and at last, by the advice of Laud, he published a body of canons, which was soon followed by a liturgy, that was appointed to be first read on the 23rd of July, 1637.

On that day, the Bishop and Dean of Edinburgh, accompanied by the council and the chief officers of state, proceeded to the High Church of St. Giles, where a large concourse of persons had already assembled, chiefly women. From the moment the dean began the service, nothing was to be heard but groans, hisses, and imprecations. "Let us read the collect of the day," said the dean, as he proceeded. "De'il colic the wame o thee, thou foul thief," answered Jenny Geddes, who kept a green stall in the High-street, "Wilt thou say mass at my lug?" and forthwith she threw a stool at the dean's head. A wild tumult instantly began; a shower of stools and clasp bibles was hurled at the reader, who immediately stopped the service, which was taken up by the bishop. But no sooner had the prelate opened his mouth, than his voice was drowned with cries and imprecations, another shower of stools compelling him to retreat. The magistrates then expelled the most riotous, and the service again proceeded; but those without immediately demolished the windows with stones, and then attacked the bishop as he was proceeding home; and they would have murdered him, had not

First read-
ing of the
English
liturgy in
Scotland

Lord Roxburgh taken him up in his carriage, and lodged him within Holyrood House.

26. Resistance of the Scots: Formation of the "Tables." This tumult was the signal for a general rising. The privy council of Scotland, having no interest in the liturgy, were slow to engage in a contest for it; while the peers were jealous of the immense powers which the bishops enjoyed in the civil government, and they were alarmed lest the new order of church government might lead to the loss of those church lands which they still possessed. Nine Bishops had seats in the council; Spottiswood, of St. Andrew's, was the chancellor, and Maxwell, of Ross, was the secretary; while in the committee called "Lords of the Articles," the hierarchy had still greater influence. Charles ordered that the bishops should choose eight peers, who in their turn should choose eight bishops, and that these sixteen should appoint the commissioners of shires and boroughs, who should join them in forming the above committee. These elections took place on the first day of the parliamentary session; parliament then adjourned, and only re-assembled on the last day to ratify what these "lords" should propose. By this proceeding, the whole government was in the hands of the bishops.*

The Earl of Traquair, the treasurer, sent to the King a detailed account of the popular feelings, and did not conceal the fact that opposition to the canons and liturgy was spreading far and wide. But Charles insisted upon the use of the service book, and was so much enraged, that he showed his displeasure even in trifles.

The King's jester at that time was one Archie Armstrong, and as the primate was hurrying to the court, on receipt of the evil tidings from Scotland, he whispered in the prelate's ear, "who's fool, now, my lord?" for which poor Archie got his disgrace, and a whipping besides. He was the last of the jesters.

By this time, however, immense multitudes from all parts of the kingdom had crowded to Edinburgh, to protest against the innovations with which the kirk was threatened (October 19th, 1637). They crowded the houses and the streets, encamped at the gates and beneath the walls of the town, and besieged the hall of the privy council, who vainly demanded assistance from the municipal council, itself besieged. They insulted the bishops as they passed, and drew up in the High-street an accusation of tyranny and idolatry against them, which was signed by clergymen, lords, and gentlemen. The council,

Excitement
in Edin-
burgh.

* Hallam, II., 484.

1637-38

which had in the meantime removed to Dalkeith, conceded so far to their demands, as to agree that they should elect representatives from amongst themselves, who should remain in Edinburgh and watch their interests. The nobles, gentry, clergy, and burgesses (for the multitudes of strangers in the capital comprehended men of every class) then chose four separate committees, or "*tables*," as they were called, composed each of four members. Each table then selected one of its own number to form a committee of superintendence and government, with power to collect the opinions of the others, and to decide on all questions in the last resort. With these five boards in the capital, corresponded others in the country; their orders were received with respect, and executed with promptitude; and in a few weeks the *tables* possessed and exercised an uncontrolled authority throughout the greater part of Scotland. The leading members of these tables were the Earls of Rothes, Balmerino, Lindsay, Lothian, Loudun, Yester, and Cranston (November, 1637).

Appoint-
ment of
popular
committees
called
"*tables*."

27. *The National Covenant.* The *petitioners*, as they who resisted the innovations were called, emboldened by the consciousness of their strength, now demanded the formal revocation of the liturgy, of the book of canons, and of the High Commission Court, which had been established in Scotland. They accused the bishops as the authors of all the troubles; they declined their authority; and they protested against all acts of the council in which they took part. At the end of seven weeks, the lord treasurer, Traquair, was ordered to publish a proclamation in Edinburgh and Stirling, declaring the *tables* unlawful, confirming the liturgy, and forbidding the petitioners to assemble under the penalties of treason. The Scottish council was ordered to keep this proclamation secret until the moment of publication; but ere it had reached Scotland the *tables* already knew its contents. The *petitioners*, therefore, were immediately convoked; the council, to anticipate them, at once published the proclamation (February 19th, 1638), and in the same moment that the King's herald had finished reading it, a counter proclamation was read and affixed to the market crosses in Edinburgh and Stirling. The *petitioners* held this protest to be a sufficient warrant for their disobedience of the royal order, and they at once took measures for the organization of a regular resistance. Alexander Henderson, the most powerful of their preachers, and Archibald Johnston, afterwards Lord Wariston, the advocate, drew up an engagement called *The National Covenant*, which they devised after

The
"*Petition-
ers*" resist
the
episcopal
innovations

the model of that which the Lords of the Congregation had sworn to, for the defence of the *Reformation*.

The new covenant recited this more ancient one by containing the same profession of faith, and the same minute abjuration of the doctrines and practices of Rome. It then enumerated all the acts of parliament which confirmed the kirk establishment, and inflicted penalties on its opponents; after which came the vow, in which the subscribers bound themselves, "by the great name of the Lord their God," to defend against every danger the sovereign, the religion, the laws, and the liberties of their country, and to defend each other, so that whatsoever should be done to the least of the subscribers, on account of his religion or liberties, "should be taken as done to all in general and to every one in particular."

This covenant was no sooner proposed than it was received with universal transport; messengers relieving each other from village to village, carried it with incredible rapidity to the remotest parts of the kingdom, as the fiery cross was borne over the mountains to call the clans to arms; and hundreds of thousands, of every age and description, swore fealty to it, vowing, with uplifted hands and weeping eyes, that, with the Divine assistance, they would dedicate life and fortune to maintain their engagement. There were many, certainly, who had no fear of the introduction of popery by the establishment of a liturgy and canons, although they signed the covenant; but they considered that the King, not being the head of the Scottish church, had no right to force a matter of conscience upon a whole nation, and that without the sanction of even the general assembly or the parliament; and they foresaw that if he was not now withstood, he would ultimately make himself master of their rights and privileges in secular as well as in religious affairs.

28. Charles offers to withdraw the Liturgy and Canons, but the Scots reject his offered Concession. The daring of these proceedings utterly astonished Charles and his council. He resolved to use force and cunning. Whilst he prepared for war, he sent the Marquis of Hamilton, as his commissioner, to Scotland, with instructions to flatter the rebels with hope, but to avoid committing himself to any promises of redress. The commissioner was escorted to Edinburgh (June, 1638) by 50,000 Covenanters; and among them were 700 clergymen, who, dressed in their robes, stood on an eminence by the road side, singing a psalm as he passed. This formidable array induced him to return to London, and advise the King to grant concessions; which he obtained, and published in September. They abolished the canons, the liturgy, and the High Commission Court; promised that the kirk and the parliament

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should assemble; and that all questions should be freely and fully debated in them, and that even the bishops might be impeached. Had these concessions come earlier, the Scots would have received them with gratitude; but Charles was not sincere in offering them, and traitors who surrounded him informed the Covenanters that no reliance was to be placed upon his word, and that his object was, to lull them into a fatal security until his warlike preparations were complete. The Covenanters, accordingly, issued a formal protest, showing that, to accept the King's concessions would be to betray the cause of God, and violate the conscience.*

The Scots
had no faith
in the
King's
intentions.

The King's real purpose soon became manifest; and, when the general assembly met at Glasgow, Hamilton suddenly dissolved them, as they were about to impeach the bishops (November 28th, 1638). But the assembly was in no humour to be dissolved, and, at the instigation of the Earl of Argyle, they passed a resolution, declaring that the kirk was independent of the state in spiritual matters; and they immediately abolished the canons, the liturgy, episcopacy, and every innovation which had been made upon the Presbyterian system. Charles annulled these proceedings, on which the Scots celebrated a national thanksgiving for their deliverance from popery and prelacy, and at once resorted to arms.

The General
Assembly
restores the
Presbyterian
system.

29. Both sides prepare for War. The Covenanters soon gathered formidable strength. Scottish merchants went abroad to buy arms and ammunition; the covenant was sent to the Scottish troops serving in Germany and Holland, who hastened to join their countrymen in this great crisis; and Alexander Leslie, a veteran of skill and experience, who had served with distinction under Gustavus Adolphus, was entrusted with the chief command. Besides the contributions which the citizens and noblemen gave for the support of the army, they received a liberal supply, and promises of further support, from Cardinal Richelieu, who was actuated against Charles by motives of public as well as personal interest. The latter had not only aided the Huguenots, but he had defeated the cardinal's plan of partitioning the Spanish Netherlands between France and the States, according to the treaty of Paris; and he had personally offended the cardinal, by affording an asylum to Mary de Medicis, the Queen Mother, and Richelieu's most dangerous enemy. On these accounts, the cardinal sent a considerable stand of arms, and large supplies of

Richelieu
secretly
aids the
Covenanters.

* Guizot's Eng. Rev., Appendix V.

money, to the Covenanters; but the transaction was kept a secret by their leaders, because the kirk would have condemned it as a violation of the covenant.*

In the meantime, Charles was making such preparations as ^{Charles's difficulties.} were in his power; but, with all the means that could be devised, his supplies amounted to no more than the sum of £110,000. There were only £200 in the exchequer; the magazines were unfurnished; and the popular discontent was so great, that the Puritans went about openly condemning the war as an impious crusade against the servants of God. In such circumstances, Lord Wentworth dissuaded a war, yet knew not what other course to advise. He seemed appalled at the perils which surrounded him and his master, and, in his correspondence with Laud, "the two-handed engine at the door" (the axe) was dismally mentioned. Yet they were so infatuated, that they ascribed all their troubles to the want of "thorough," and to "an over great desire to do all quietly."† In his imminent necessity, the King had recourse to the Roman Catholics, from whom the Queen obtained large contributions, and personal service. Some attempt was made to obtain 10,000 Spanish troops from Flanders; and offers were made to the Pope to repeal the penal laws, if he would aid the King. But the bad faith of Charles had long since rendered him an object of suspicion to the continental princes, and no hopes could be entertained of their assistance.

30. A short Campaign is ended by the Pacification of Berwick. While the royal cause thus lay entangled in difficulties, the Covenanters had commenced hostilities by capturing Edinburgh, Dalkeith, Dumbarton, Stirling, and other fortresses; an English fleet in the Forth, under Hamilton, making no attempt to resist them (March and April, 1639). At length Charles repaired to York, and thence advanced to the neighbourhood of Berwick; Leslie's head quarters being at Dunglass (May). The utmost order prevailed in the Scottish camp, where the presence of so many clergymen gave a religious character to the war. Every true Scot was summoned to serve in the name of God and the country, and the curse of Meroz was denounced against all who came not to the help of the Lord. On the tent of every captain there waved an ensign, bearing the Scottish arms and this motto, "For Christ's crown and the covenant;" morning and evening the whole army performed its devotions; two sermons were preached daily, the Scriptures were read, psalms sung, and mutual exhorta-

* Lingard, IX., 360. † Hallam, I., 503.

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tions and prayers made. To this army, which numbered about 24,000 men, Charles could oppose one equal in numbers, but deficient in spirit and discipline. His own courage also appears to have failed him; and, after some insignificant movements, negotiations were begun, which led to a treaty, called The Pacification of Berwick (June 18th, 1639), by which it was agreed that both armies should be disbanded, and that a synod and a parliament should be convoked in August for the settlement of all civil and religious differences. But no clear and precise promise was made by Charles to put an end to these differences, so that the agreement was far from satisfactory.

31. The King's Perplexities at this juncture. The Pacification of Berwick only suspended the war, for, although the Covenanters disbanded their forces, and restored the fortresses they had taken, they held themselves in readiness to take up arms on the slightest notice; and Charles, on his side, had scarcely disbanded his army, before he began secretly to levy another. ^{A dispute as to the meaning of the treaty.} A dispute arose as to the construction to be put upon the terms of the treaty; and, when the Scots published their views, Charles caused the document to be burnt by the common hangman. But the Covenanters were not deterred thereby from stating their opinions in bolder language than before; and when the general assembly met, according to the treaty, it not only confirmed all that had been done at Glasgow, but renewed the covenant, and declared Presbyterianism to be the religion of the land. It demanded further, that the King should be bound to convoke it every three years; that freedom of election and freedom of speech should be assured to its members; and that, as Episcopacy was abolished, all acts in favour of it should be repealed (November).

These proceedings determined the King to renew the war at once; but the question immediately arose—how maintain it? for the treasury was empty, and the privy purse exhausted, and dissensions also in the royal council threatened to deprive the King even of advice. Laud, Hamilton, and Wentworth, who had been summoned from Ireland, were ^{Dissensions in the royal councils.} constantly opposed by the Queen and her favourites, Windebank, Sir Henry Vane, and Cottington.* The latter urged the King to make himself entirely absolute, like the monarchs of France and Spain; and their counsel was most congenial to his inclinations. But the former were not opposed to a parliament, provided it was

* Hallam, I., 565; Guizot, 76.

entirely submissive; and as it now became plainly impossible to conduct the government without the regular constitutional supplies, their proposal that a parliament should be called was agreed upon. It was the influence of Wentworth (now created Earl of Strafford, January, 1640) which induced the King to come to this determination; for, said the earl, if his majesty made trial once more of the ancient and ordinary way, he would leave his people without excuse if that should fail, and have wherewithal to justify himself to God and the world, if he should be forced, contrary to his inclinations, to use extraordinary means, rather than that, through the peevishness of some factious spirit, to suffer his state and government to be lost.*

32. Meeting of the Short Parliament. Immediately after giving this advice, Strafford returned to Ireland as lord lieutenant, called a parliament, obtained a large supply, and, in April, returned again to England. It was vainly hoped that the example of the Irish parliament would be followed by that of England. The elections had gone off quietly; and on the 13th of April the King opened the two houses in person; but with a brief and ungracious speech. He called upon them to grant him an ample and speedy

supply; and to demonstrate to them the justice of his cause, he exhibited an intercepted letter from the Scots to the King of France. But Pym, Hampden, Lords Say, Bedford, Essex, and Holland, and all the popular leaders,

had been holding secret meetings in London with the Scottish agents, and the Commons, therefore, took no notice of the letter.

What they were determined upon was—to give their whole and undivided attention to the national grievances. Yet, they were

“as favourably disposed towards the King’s service, and as little influenced by their many wrongs, as any man of ordinary judgment could expect,”† and they cautiously abstained from all violent and

intemperate expressions, even going so far as to reprove a member for calling ship money an abomination. By the advice of Pym,

they divided their grievances into three heads; innovations in religion, invasions of private property by illegal impositions, and breaches of the privileges of parliament, in the King’s commanding

the speaker to adjourn the house without its consent, and in punishing members for their conduct in parliament.‡

Rudyard, Waller, Lord Digby, and others more conspicuous afterwards, followed up this advice by vigorous speeches, and the Commons immediately appointed a

The Commons are in secret correspondence with the Scots.

No supply without a redress of grievances first.

* Quoted by Hallam, I., 506.

† Hallam, I., 506.

‡ See the Speech in Forster’s Lives, III., 89-119.

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committee to confer with the lords on all these subjects. The grave and determined aspect which the Commons thus showed, alarmed the King, and at his earnest entreaty the Lords resolved that supplies ought to precede the redress of grievances. But the Commons instantly declared that this proceeding was a breach of privilege; and while the two houses were discussing the point, the King sent a message demanding of the Commons whether they would grant a supply or not. Vehement debates followed, during which Sir Henry Vane, the secretary, said that if parliament would grant twelve subsidies (£850,000), the King would consent to the abolition of ship money for ever. This proposition only increased the heat of the debate; Pym and Hampden objected to it, as recognising the legality of ship money; Hyde proposed that the house should resolve to grant a supply without naming the amount; on which Vane said, that the King would accept of no less than twelve subsidies. Next day (May 5th), the King rashly dissolved the parliament.* The same evening Charles bitterly regretted his precipitancy, and said that Vane had no authority for the statement he had made. Herbert, the attorney-general, however, had confirmed Vane's words in the parliament; and the King's well-known hatred of parliaments prevents us from giving him any credit for this regret; if it ever existed. He immediately issued a declaration, charging the Commons with insolence and audacity, in traducing his government, accusing his ministers, and offering a supply to him by way of bargain and contract, "as if kings," said the declaration, "were bound to give an account of their regal actions, and of their manner of government, to their subjects assembled in parliament." The unconstitutional practice of committing to prison some of the most prominent members, and searching their houses for papers, was renewed, and the King having again broken loose from the restraints of law, returned to despotism a little more anxious, but as reckless and as haughty as before the attempt he had just made to quit it.†

32. The Scots renew the War: The Pacification of Ripon. The dissolution of the Short Parliament plainly manifested to all the King's subjects his mortal antipathy to any assembly that was not entirely submissive. The necessity of some great change became the common theme; so general a defection in the kingdom had not been known in the memory of any; and, for the first time, the idea of establishing a republic

The King will have a supply without conditions.

First idea of a republic.

* Guizot's Eng. Rev., 80. † Ibid, 80.

began to be talked about. Encouraged by this state of public feeling, and by the popular leaders with whom they kept up a constant communication, the Scots crossed the Tweed (August 21st, 1640), and beat the first troops which were sent against them at Newburn (August 28th). Charles was surprised at this defeat; and as he had now too much reason to distrust the fidelity of his forces, he ordered them to retreat into Yorkshire, and took up his residence in the northern metropolis. He fell into a profound despondency; every day brought him some news of his weakness. Money was wanting, and the old means of raising it no longer answered; the soldiers deserted in whole bands; they murdered those officers whom they suspected of popery; the people were everywhere in a state of excitement, impatient for the result which was now inevitable; and the Scots corresponded with those around him, even in his own house.* Afraid of the energetic counsels of Strafford, who had assumed the command of the army, he summoned a great council of peers, to meet him at York (September 24th), as the only alternative of a parliament. Such an assembly as this had not been summoned since the feudal ages, and was altogether obsolete and out of place; and two petitions, one from London, and the other from twelve peers, protested against it, and solicited the assembling of a parliament. Even his own counsellors urged him to call another parliament, and at last he acquiesced, and issued writs for a new one to assemble on the 3rd of November. By the advice of the council of peers, he then resolved to conclude a treaty with the Scots, and sixteen peers, all of them inclined to the popular party, were charged to proceed to Ripon, and there meet the Scottish commissioners. After some days, Charles, having no other resource, agreed to the dishonourable Pacification of Ripon, by which it was stipulated that both the Scots, as well as the English army, should be kept on foot at the King's expense. He then proceeded to London, and "awaited in fearful suspense the meeting of parliament." †

* The Earls of Bedford, Essex, and Warwick, the Lords Holland, Say, and Brook, and Hampden, Pym, St. John, and others, still continued to meet the Scots commissioners, at Broughton Castle, Oxfordshire, the seat of Lord Say, at Fawsley, in Northamptonshire, and at Pym's house in London. (Forster's Lives, III., 126.)

† Guizot's Eng. Rev., 52-85; Hallam, I., 510-512.

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SECTION III.—FROM THE ASSEMBLING OF THE LONG PARLIAMENT, TO THE BEGINNING OF THE CIVIL WAR. 1640-1642.

34. Temper and Disposition of the Long Parliament at the beginning of the Session. The unprejudiced student, who has carefully studied the history of Charles's reign hitherto, will readily admit that some new securities for the preservation of English liberty, more effective than any which could be found in the existing laws, were now absolutely indispensable. All the limits which the ancient statutes had placed upon the power of the crown, and which the King had acknowledged in some respects in the the Petition of Right, had been so repeatedly transgressed, that the Commons would have exposed themselves to derision, if they had again purchased their confirmation by grants of supplies. The King had, by a casuistry of his own, set at defiance all laws, so that some essential change in the balance of government was absolutely necessary, and the punishment of those ministers who had encouraged him in his unlawful and oppressive government, a necessary act of justice. These were the opinions of almost all political men at the time when the Long Parliament assembled in Westminster Hall (November 3rd, 1640).

Necessity of some new securities for liberty.

Charles proceeded to the opening of this famous assembly, unattended by the usual pomp and procession, and his speech from the throne was short, but conciliatory. Yet the few words he uttered gave offence. He demanded the removal of the *rebels*, meaning the Scots, who were in close alliance with the popular party; but such was his desire to please, that he apologised for having used the offensive word. The Commons heard him with cold respect, and at once proceeded to the work which their leaders had marked out, and which they divided under the three great heads of—the investigation of abuses; the adoption of remedies; and the punishment of delinquents. Each member had brought with him a petition from his town or county, and after reading it, took it as the text of his speech, so that all the acts of tyranny, in every part of the country, were passed in review, and condemned. As if the reading of these petitions did not sufficiently reveal the whole course of evil government which Charles and his ministers had exercised for so many years, forty

Abuses are rigorously investigated.

committees were appointed to inquire into abuses, and to receive the complaints of the people who came in bands daily to the parliament, bringing complaints from every town and district in England. For during the late elections, Hampden and Pym had ridden through every county, to excite the people to send petitions and state their grievances.* The power of these committees was unlimited, and even members of the privy council were summoned before them, to answer for the advice they had given in the council. Every agent of the crown, of whatever rank, was marked by the name of "delinquent," and a list of them drawn up for every county; even those who had taken part in any monopolies, were declared unworthy of sitting in parliament, and the members so condemned immediately excluded. The determined manner in which the Long Parliament thus proceeded, struck the servants of the crown with dismay, and the royal authority was at once powerless and motionless.† The King, who was so much indebted to the Catholics, both of England and Ireland, for the assistance they had rendered him in his struggle with the Scots, was compelled to banish them from his court and the army; to deprive them of arms; to expel the priests from the realm; and when one Goodman, a priest, had been condemned to death, he humbled himself so much as to petition the Commons to allow him to pardon the man.‡

35. Impeachment and Arrest of Strafford and Laud. The Earl of Strafford had foreseen this explosion, and had, therefore, entreated the King to dispense with his attending parliament. But Charles being very earnest for his coming, commanded him to attend, and promised him the fullest protection. Strafford, however, still hesitated, but finding that his attendance was inevitable, he set out from Yorkshire, and arrived in London on the 10th of November, determined to accuse the popular leaders of a treasonable correspondence with the Scots the very next day. But Pym and his friends were aware of the blow he was about to strike, and they resolved to strike first. On the 11th, the Commons debated with closed doors. Pym suddenly rose, and impeached the earl of high treason; his motion was carried unanimously, and followed by three hundred members, he proceeded to the House of Lords, where he laid the impeachment formally before them. At that moment Strafford was with the king; but as soon as he heard of Pym's proceeding, he hastened to the house. As he was going to his seat, the members, who were then consulting upon the impeach-

* Forster's Lives, III., 128. † Guizot's Eng. Rev., 89. ‡ Lingard, X., 4, Note.

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ment, ordered him to withdraw. An hour afterwards he was recalled, informed that the Lords had accepted his impeachment, and immediately committed to the Tower.

This sudden arrest was the master stroke of the time; and every resolution of the Commons took the shape of action from that day. Secretary Windebank and lord-keeper Finch were proceeded against, but they escaped, the first to France, the other to Holland; the judges were bound to give enormous securities for their appearance before parliament to receive judgment, and Sir Robert Berkeley, who had been a chief instrument in supporting the lawfulness of ship money, was publicly arrested while presiding in the King's Bench, and committed to prison.

Other
ministers
punished.

To prepare the way for the impeachment of Laud, the Commons resolved that convocation had no authority to bind either laity or clergy without the consent of parliament, and so condemned the new church canons which Laud had caused convocation to sanction in the previous year. But they further resolved, that these canons were injurious to the crown, the parliament, and the subject. Denzil Holles then impeached the archbishop of high treason at the bar of the Lords; and Laud was immediately sent to the Tower.

36. **Laws enacted to Reform Political Abuses.** Having thus secured the punishment of delinquents, the Commons turned their attention to the reformation of abuses; voting daily, in the meantime, such supplies as would provide for the government's necessities for each day only. But they granted the Scots £300,000 as an indemnity and recompense, for their assistance in compelling the King to call the parliament, and kept up both the English and Scottish army, at a cost of £80,000 per month.

The long intermission of parliaments was the first abuse attacked by the Long Parliament, because it was the chief cause of all the excesses which had troubled the country for the last eleven years.

A statute of Edward III. had already provided that parliament should be held "every year, or oftener if need be." But this enactment had seldom been respected. The *Triennial Bill* was therefore passed, enacting that every parliament should be *ipso facto* dissolved at the expiration of three years from the first day of its session. That the chancellor, or keeper of the great seal, should issue writs for the election and meeting of a new parliament within three years from the dissolution of the last, under pain of losing his office, and further punishment. That, in case he failed to do this, the peers should assemble in Westminster and summon a parliament; that, if the peers neglected, then the sheriffs were to cause the elections

The
Triennial
Bill.

to be made ; and, if these last failed, the electors themselves were to choose their representatives. And no future parliament was to be dissolved or adjourned, without its own consent, in less than fifty days from the opening of its session. The passing of this act was welcomed by the nation with bonfires, and every mark of joy (January, 1641).

After laying this solid foundation for the maintenance of such laws as they might deem necessary, the House of Commons proceeded to cut away the flagrant and recent usurpations of the crown. They passed a bill declaring ship money illegal, and annulling the judgment against Hampden. In an act granting the King tonnage and poundage, they declared that no subsidy, custom, impost, or other charge whatsoever, can be laid upon any merchandise imported or exported, without the common consent of parliament.

A bill, at first brought in for the regulation of the Star Chamber, was changed for one abolishing it altogether. It abolished all exercise of jurisdiction, whether civil or criminal, by the Privy Council as well as the Star Chamber. Persons charged with offences might, however, still be examined and committed, but they were to have their writ of *Habeas Corpus* granted, and only three days were to elapse before the person was to be brought before the regular courts, and to have his cause certified as legal or not. This act also abolished the High Commission Court, the Council of the North, the Court of the President and Council of Wales and the Welsh Marches, with those of the Duchy of Lancaster and the County Palatine of Chester ; courts which had grown out of the despotic temper of the Tudors, and which had, under various pretexts, deprived one-third of England of the privileges of the Common Law. Another act remedied the abuses in the Stannary Courts of Cornwall and Devon, others retrenched the vexatious prerogatives of purveyance, and took away that of compulsory knighthood, and one of greater importance put an end to a fruitful source of oppression, by determining for ever the extent of the royal forests, according to their boundaries, in the 20 James I. Amongst these beneficial acts of this parliament was another, not passed during this first period of the session, but after the King's return from Scotland ; which declared that no one ought to be impressed or forced to go out of the country to serve as a soldier in the wars, except in times of sudden invasion, or they were otherwise bound by the tenure of their lands and possessions. Whilst this bill was passing through the house, the King, in a speech from the throne, condemned it as an invasion of his prerogative, on which both houses remonstrated, declaring that, for the crown or any one else to interfere with any parliamentary proceeding was a breach of privilege, which law of privilege has ever since been carefully respected.

When we compare these statutes thus enacted by the Long Parliament with our ancient laws and history, it will be observed that they made no material changes in our constitution, as it had been established and recognised under the house of Plantagenet. For the Triennial Bill even did not go so far as the provision of Edward III., which enacted that parliament should be assembled annually ; the Court of Star Chamber could not trace its legal jurisdiction beyond the Tudor period ; the High Commission Court was an off-set of the

Ship money
declared
illegal.

Abolition of
the Star
Chamber
and High
Commission
Court, &c.

Act against
military
impressment.

These
statutes
restore the
constitution to its
original
purity.

1640-41

royal supremacy established at the Reformation; the impositions on merchandise were plainly illegal, and of no long usage; and ship money was a flagrant stretch of power, without even a pretext of right. So that the monarchy lost nothing that it had anciently possessed by these enactments, and the balance of the constitution was rather restored than changed, its languid frame was renovated, and the period seemed to be almost a new birth of liberty. The constitution, in short, was formed into that shape in which we now see it, and from 1641, we must date the full legal establishment of our civil and political principles.*

37. **Disputes in Parliament concerning Religious Abuses.** All these measures of political reformation were unanimously concurred in by both houses; but from the very first day an utter diversity of opinions and wishes regarding religious matters was apparent. There were three religious parties at this time:

- (1) The High Church Episcopalians, headed by Laud and Wren:
- (2) The Moderate Episcopalians, led by Usher and Williams, who advocated a moderate Episcopacy, in which the bishop should simply be a sort of president of college of presbyters, acting always with their concurrence: and
- (3) The Root and Branch Party, entirely opposed to Episcopacy, and in close union with the Scottish Covenanters.

At the instigation of the latter party, a petition from the city of London, with 15,000 signatures, was presented to the House of Commons (December 11th, 1640), demanding the entire abolition of Episcopacy; which was received so favourably, that those who bore a good affection to the church were startled. This gave rise to the first difference that was expressed in parliament. Digby and Falkland opposed the petition, and nearly at the same moment nineteen petitions arrived from various counties, signed, it is said, by more than 100,000 persons, recommending the maintenance of episcopal government.† The Presbyterians were thus very far from having the nation on their side, the majority being in favour of a moderate Episcopacy, in which the prelates should be abridged of "that coercive jurisdiction and temporal power by which they had forfeited the reverence due to their function, as well as that absolute authority over presbyters which could not be reconciled to the customs of the primitive church." The Presbyterians, therefore, proposed declaring all ecclesiastics incapable of any civil function, and excluding the bishops from the House of Lords (March); and, in order to induce the Commons to adopt it, they promised to go no further than this, and it was on this condition alone that

Episcopacy
not
unpopular.

Proposals
to exclude
bishops
from
parliament

* Hallam, I., 519-520. † Ibid, I., 535, Notes; Guizot's Eng. Rev., 95.

Hampden obtained Lord Falkland's vote in favour of it. But the House of Lords rejected the bill. Furious at this, the Presbyterians introduced another bill, which was drawn up by St. John, for the utter abolition of bishoprics, deaneries, and chapters; and so boldly was it supported, that it was read twice on the very day of its introduction (May 27th).

But the Commons not only attacked the bishops; they also undertook "to purge the church." On the petition of the sufferers and their friends, they restored to their livings all such clergymen as had been deprived on the ground of nonconformity; and they called to their bar all ministers denounced as "*scandalous*," i.e., those who were openly immoral, or who had shown zeal in observing the ceremonies put forth by Laud. On their own sole authority, without even informing the Lords, they sent commissioners into the counties to take away all images, crucifixes, altars, and other relics of popery (January 23rd), within churches or without (the beautiful crosses at Charing and Cheap fell at this time); and these commissioners sanctioned by their presence the popular passions which had already broken out. On the other hand, the Lords, learning that the Independents had publicly resumed their meetings, summoned their leaders to the bar, and reproved them; and they issued an order for the performance of divine service according to law (January). These dissensions of opinion with regard to religious matters impeded the progress of parliamentary business; the Hydes, the Falklands, the Hertfords, and the Southamptons were alarmed at the spirit of ecclesiastical democracy which was thus displayed; "attached to the venerable church of the English Reformation, they were loth to see the rashness of some prelates avenged by her subversion, or a few recent innovations repressed by incomparably more essential changes;"* and, in the course of the summer of 1641, they finally seceded from the popular party.

38. **The Army Plot.** These symptoms of misunderstanding between the Lords and the Commons awakened the most pleasing anticipations in the King's mind, and he began to cherish the hope of again being able to give law to his opponents. Under the advice of the Marquis of Hamilton, he had entered into negotiations with Lords Bedford, Say, Essex, and the popular leaders, for the formation of a new privy council, and proposals were further made for appointing Pym chancellor of the exchequer; Hampden, tutor of the Prince of Wales; Holles, secretary of state; and St.

* Hallam, I., 538.

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John, attorney-general. But these communications were not carried on with any hopes of success by either party, and, whilst they were proceeding, other proposals reached the King far more adapted to his feelings. Discontent had spread in the army; the Queen, who was perpetually meddling in public affairs, and leading Charles astray, heard of it, and established a correspondence with the malcontents. At her instigation they drew up a petition, which Charles was persuaded to sign and approve of. This petition was as menacing to the parliament as the petitions which the Commons daily received were to the crown and the church. It stated the many valuable concessions which the King had made to the people, adverted to the riotous assemblages which had lately attempted to control the sovereign and the parliament, and prayed that the army might march to London, for the purpose of protecting the King and the two houses.

The Queen
fomented
discontent
in the army

But the vigilance of the patriots detected this project, and their promptitude defeated it. Pym, who was chairman of the committee appointed to watch the safety of the two houses, had his spies everywhere; Goring, one of the conspirators, revealed the whole plot to the Earl of Bedford, and although the petition had not been presented, and nothing had been done to advance the project, the King's signature, and his known approval of the scheme, proved fatal to all further negotiations between him and the popular leaders. From that moment, Pym, Hampden, and their colleagues, who had hitherto discountenanced extreme measures, united themselves closely to the fanatical Presbyterians, the only party of whose co-operation they were sure, whose devotion was inexhaustible, who alone had fixed principles, ardent passions, a revolution to accomplish, and a popular force to accomplish it with. The death of the Earl of Bedford, in May, removed the only man from the popular ranks whom Charles liked to trust; and it is melancholy to reflect, that had the King only ceased to listen to his Queen and her friends, who were always mischievously advising him, he would, at this juncture, have escaped the exorbitant demands which were afterwards made upon him, and even saved his favourite Episcopacy.*

The army
plot
estranges
the
moderate
leaders
from the
King.

39. The Trial of Strafford, and its attendant circumstances. Clarendon states that the King's chief end in entering into these negotiations with the popular leaders, was to save the life of

* Guizot's Eng. Rev., 98-100; Hallam, I., 539, Note; Lingard, X., 34.

Strafford, and to preserve the church from ruin; and that the determination of the popular leaders to proceed against the earl led Charles to break off the negotiations.* But this statement is unsupported by any evidence; neither Pym nor Hampden was opposed to the church; and the real cause of the failure of the negotiations, was the discovery of the army plot. The trial of Strafford, therefore, began soon after these unfortunate attempts at reconciliation (March 22nd). The whole House of Commons was present to support the impeachment; and with them sat, for the same purpose, commissioners from Ireland and Scotland. Eighty peers acted as judges, the bishops absenting themselves, according to the old custom in trials of life or death. Westminster Hall had been fitted up for this great trial; the greatest, indeed, in English history, excepting the equally memorable one of Warren Hastings, in the same place, two hundred years afterwards.

Made in
which it
was
conducted.

The King and Queen sat in a closed gallery, above the peers, who had the Commons on either side; and around, in galleries and on raised steps, were the spectators. Each morning, at nine, the prisoner was brought by water from the Tower; when he entered, he made three obeisances to the Earl of Arundel, the high steward, knelt at the bar, then rose and bowed to the lords on his right and left. Two hundred trainbands formed his daily body-guard, and, at the King's urgent request, the axe was not carried before him. Thirteen managers, of whom Pym was chief, opened the proceedings with some definite charge; their witnesses were then examined upon oath; after which the court adjourned for half an hour, that Strafford might have time to advise with his counsel, who sat behind him. When the court resumed, Strafford spoke in his defence, and produced his witnesses, who, according to the practice of the age, were not examined upon oath. The managers then spoke to the evidence, and the prisoner was remanded to the Tower. Thus the proceedings went on for thirteen days.

The articles against him amounted to eight and twenty, all of which had been given to him three weeks before, that he might prepare his answers. Three of these articles charged him with treason, the others with acts and words which, though not treasonable separately, yet, in the aggregate, amounted to what may be called *accumulative treason*, because they proved in him a fixed endeavour to subvert the fundamental laws and liberties of the country. This latter charge was the great object of the Commons, who undertook to show that, "no matter with what motive, any actions undertaken, which had a tendency to prove destructive to the state,

The
charges.

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amounted, in legal effect, to a traitorous design against the sovereign.* The proofs by which this tremendous accusation was sustained, were deduced from a series of actions which extended over the three great divisions of the earl's public functions.

As president of the council of the north, he was charged with having procured powers subversive of the laws, and with having distinctly announced tyrannical intentions, by declaring that the people should find "the King's little finger heavier than the loins of the law."

As governor of Ireland, he was accused of having publicly asserted "that the Irish were a conquered nation, and that the King might do with them as he pleased." He was charged with having arrogated an authority beyond what the crown had ever lawfully enjoyed, and even beyond the example of former viceroys; that he had billeted soldiers on peaceable inhabitants, till he compelled them to submit to his illegal demands; that he had raised an army, and offered it to the King for the subjection of England; that he had, of his own authority, granted monopolies, appropriated the customs, increased the rates on merchandise, imprisoned people without trial, prevented the redress of his injustice by forbidding any one to leave Ireland without his special licence, and that he had committed numerous acts of oppression against individuals who were personally obnoxious to him.

As chief minister of England, he was charged with having advised the King to act in defiance of the law, to coin base money, to make a new levy of ship money, and generally to govern the kingdom by his own authority, without the intervention of parliament.

Strafford replied to all these charges with a temper and eloquence which extorted praise even from his adversaries. To some of them he opposed warrants from the King, some he peremptorily denied, and others he sought to elude. As the trial proceeded, it was plain that the managers of the Commons had failed in much of their evidence, and popular opinion began to be divided. But, on the 10th of April, before the opening of that day's trial, Pym suddenly rose in his place in the House of Commons, and announced a communication respecting the Earl of Strafford, of vital importance. The doors were instantly locked, and the veteran leader then produced a paper, containing "*a copy of notes taken at a junto of the privy council for the Scots affairs, about the 5th of May last.*"

These were notes made by Sir Henry Vane the elder, and they had been placed in Pym's hands by the younger Sir Harry Vane, who had discovered them in his father's study, and they declared, that Strafford had said to the King that his majesty, having tried the affection of his people, was absolved from all rule of government, and could do what his power would admit, and be acquitted before God and man ;

The notes
discovered
by
Sir Harry
Vane.

* Forster's Lives, II., 384.

and that he had an army in Ireland which he might employ "to reduce this kingdom to obedience."

On the ground of this advice, Pym then moved, that a bill of attainder against Strafford should be read a first time, which was accordingly done. On the 13th the notes were read in Westminster Hall, immediately before the earl made his famous defence; on the day following, the attainder was read a second time, and passed on the 21st.* When the King heard of this, he renewed his former offers of concession; and a plot was entered into for the escape of Strafford from the Tower. The army plot before mentioned was also going on, and the King offered to Bedford the disposal of all the great offices of state, if he would save the life of the earl. The condition was accepted, and that nobleman was in the course of bringing the negotiation to a successful issue, when he unfortunately died. The King soon after went down to the House of Lords, and, by the advice of Lord Say, it is said, made a speech which sealed the doom of the unfortunate prisoner. He had been present during the whole of the trial, he said, and could not condemn the earl of high treason, and, therefore, could not assent to the bill of attainder when it should be brought to him. But that Strafford, he continued, was guilty of misdemeanours was evident, and for these he should punish him by exclusion from office during his life. This speech, no doubt, was well meant, but it was ill advised, and when Strafford heard of it, he gave himself up for lost. The Commons immediately resented it as a flagrant violation of the privilege of parliament; the preachers passionately declaimed against it in their sermons next day, which was Sunday (May 2nd), and on the Monday, mobs paraded the streets, insulting all who were supposed to be friendly to the King, and shouting "justice! justice!" declaring they would have the head of Strafford or of the King. At this crisis, Pym, who had reserved the decisive blow till now, denounced, from his place in the house, the plots of the court and the army against parliament (May 3rd),

The King's
imprudent
attempts
to save the
earl.

Army plot
discovered.

and while the minds of his hearers were thus wild with terror and excitement, he proposed a protestation, binding them to defend their religion against popery, their liberties against despotism, and their King against the enemies of the nation. Every member present (Edward Hyde, afterwards Lord Clarendon,

* It is a curious fact, that while Hampden opposed the passing of this attainder, Hyde supported it. Falkland also supported it in the House of Lords (See Forster's Historical and Biographical Essays.)

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being the second name on the paper) signed this protestation, and it was then circulated in various copies, for universal signature, throughout the kingdom. The sensation thus created was felt everywhere; the popular alarm increased daily; and the patriot leaders took advantage of it to achieve a still more memorable measure. The famous bill to secure the existence of the parliament, by enacting that it could only be dissolved by its own consent, was hastily brought in (May 6th), sent to the Lords next day, and presented to the King for his assent, together with the bill of attainder which the Lords passed on the 8th. Charles, stricken with consternation at the discovery of the plots for overawing the parliament by the army, readily assented to this revolutionary measure, by which the House of Commons was, in the short space of three days, made independent of the crown and the people; and which, if it had been maintained, would have converted the government into "something like a Dutch aristocracy."*

The terrible bill of attainder did not pass the Lords without experiencing some impediments. On the conclusion of the trial, the peers had voted that only two of the charges were proved; those which charged the earl with having quartered soldiers upon people without lawful cause, and with having imposed of his own authority an illegal oath (against the covenant) on all Scotsmen dwelling in Ireland. But when they appealed to the judges for their judicial opinion on these points, the latter answered unanimously, that Strafford deserved to undergo the pains and penalties of high treason by law. Proceeding upon this judicial opinion, the Lords passed the bill of attainder next day (May 8th), voting upon the articles judicially, and not as if they were enacting a legislative measure. A deputation from the Lords carried up the bill to the King, requesting his assent; they were accompanied by a mob of two thousand men, most of them armed; and the King, fearing that his palace would be forcibly broken into, reluctantly promised to assent to the bill on Monday, that day being Saturday. Before this, on the 4th of May, he had received a letter from Strafford, begging the King to assent to the bill, and so save himself. But when Carleton, the secretary of state, went to the Tower (May 10th), and told the earl that the King had consented, he expressed the greatest surprise, and exclaimed, "*Nolite confidere principibus et filiis hominum, quia non est salus in illis.*"

* Hallam, I., 532.

The day following, the King made a last effort to save the earl's life; but it was, unfortunately, like the rest of his doings, mischievous and ill advised. Denzil Holles, whose sister Strafford had married, undertook to save his doomed relative, and he wrought on so many, "that he believed, if the King's party had struck into it, the earl might have been saved."* But while this negotiation was successfully advancing, the King sent a letter to the Lords by the Prince of Wales, requesting them to commute the sentence of death to that of perpetual imprisonment; yet stating, that if no less than the earl's life could satisfy them, he would say "fiat justitia." This pitiable letter he wrote at the Queen's instigation, who was afraid that if Strafford were saved he might accuse her. She also caused the King to add that disgraceful postscript, "If he must die, it were charity to reprieve him until Saturday."

Charles's
last
attempts to
save him.

Strafford's death was now certain; the houses read the letter twice, and without noticing the cold request contained in the postscript, ordered the execution for the next day (May 12th). Laud blessed him from the window of his cell as he passed; on the scaffold he behaved with dignity and composure; and after delivering an address to the people, he laid his head on the block, and perished at the first stroke. The people displayed their joy by lighting bonfires, and demolishing the windows of those who refused to illuminate.

The propriety and justice of Strafford's punishment will, perhaps, ever be questioned. That he laboured to exalt the power of the crown on the ruins of his country, is proved by the letters he wrote to Laud;† but the law of England is silent as to conspiracies against itself, and therein lay the difficulty of the Commons. Yet, as Pym said, in his famous reply to the earl's defence, "To alter the settled frame and constitution of government is treason in any state. The laws whereby all other parts of a kingdom are preserved would be very vain and defective, if they had not a power to preserve themselves."‡ That which seems to have decided his fate, however, was the unanimous decision of the judges. With regard to the bill of attainder, Hallam observes, that it is a very important question, whether great crimes against the commonwealth may not justly incur the penalty of death by such an act of the legislature, such crimes not coming within the jurisdiction of any tribunal, or under the

Was
Strafford's
execution
just?

* Burnet's Own Times, Book I.; Lingard, X., 28, Note.

† See Hallam's Const. Hist., I., 463-473. ‡ Forster's Lives, III., 182.

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provisions of any known law. The attainder was certainly not justifiable, unless it can be proved that it was necessary; and it was certainly not necessary, if it can be shown that a lighter penalty would have been sufficient for the public security. This question does not admit of a demonstrative answer; but history furnishes us with several instances in which banished favourites have returned after a short exile, and avenged themselves upon their adversaries. The parliament, moreover, entirely distrusted the King, and, for this reason, objected to any mitigated penalty. On the other hand, Strafford was utterly unpopular, and the popular party was too powerful to render the contingency of his return from banishment at all probable. If, then, we blame, in some measure, the sentence against Strafford, it is not for his sake, but for that of the laws on which he trampled, and of the liberty which he betrayed. "He died justly before God and man."*

40. The King's Journey to Scotland. The death of Strafford tended in no degree to reconcile the King and the Commons, but rather redoubled their distrust of his intentions, although he soon afterwards assented to those remedial laws which have been enumerated in a previous paragraph (July 5th). A new source of disquietude was suddenly opened, by the announcement of the King's intention to visit Scotland, and open the Northern Parliament, and by the public preparations which the Queen was making for a journey to the continent. The Commons, alarmed at these double movements, interposed many obstacles; but, on the 10th of August, Charles set out on his journey northward, from which he entertained great hopes of obtaining such proofs against the popular leaders, as would convict them of having carried on a traitorous correspondence with the Scots.† The patriots, however, watched all his movements with the utmost vigilance and jealousy; and a committee of both houses was appointed to attend him, in order, as was pretended, to see that the articles of the Pacification of Ripon were executed; but really to watch his conduct, and report it to the parliamentary committee, which sat in London during the adjournment.

Charles
attended
by a
committee
of spies.

What further induced the King to make this journey was, the formation of a secret party, called *banders and plotters*, under the Earl of Montrose, the members of which had signed a bond in opposition to the covenant, and opened a correspondence with the sovereign. But as early as the 4th of June,

Banders
and plotters

* Hallam, I., 524-30; Lingard, X., 29-30; see also Pym's Speech in Forster's Lives, III., 167-182.

† Forster's Arrest of the Five Members, Sect. II.

the Marquis of Argyle, the covenant leader, had intercepted this correspondence, and, when the King arrived at Edinburgh, he found the Earl in prison. He was resolved, however, to ingratiate himself with the Covenanters; and he conformed to their worship, attended the kirk regularly, and listened to their interminably long sermons. He also admitted them to the privy council, lavished titles and honours upon them, and conceded all their demands.

The
"Incident." But in the midst of these fair shows, Argyle and Hamilton, pretending that the King was meditating their arrest and assassination, suddenly escaped to Kinneil Castle. This extraordinary event, emphatically called "The Incident," caused great excitement; and all that transpired to explain it was, that Montrose had secretly quitted his prison, and revealed to the King certain machinations which these two noblemen were concocting, and had advised their arrest, and assassination if they resisted. Although the King vehemently demanded an inquiry into the affair, the Scottish parliament prevented any being made; and a formal reconciliation was effected by the release of Montrose, and the grant of higher titles to Hamilton, Argyle, and General Leslie, who was made Earl of Leven. Hampden, and the English commissioners, sent a full account of all these things to London, where the information excited afresh the fears of the Fears of
the patriots popular leaders, who had considered that, by the late pacification which Charles had concluded with the Scots, in which he had declared them to be ever good subjects, their former treasonable correspondence had been pardoned. When they now saw that they were irremediably compromised, they demanded, on the first day of the meeting of parliament (October 20th, 1641), that the Earl of Essex, commander of the forces south of the Trent, should grant a guard for the safety of parliament. In the midst of this agitation, the news of the Irish massacre and rebellion burst upon London, and excited universal terror (November 1st).

41. **The Irish Rebellion.** Among the gentlemen of Kildare was one Roger O'Moore, of Ballynagh, whose ancestors had been expelled from their lands in the reigns of Edward and Its origin
and causes. Mary, and their sept almost exterminated by force of arms. The hope of recovering his ancient patrimony led him into different parts of Ireland, to exhort the natives to take up arms and vindicate their rights. He sounded the disposition of the lords of the Pale, and the Anglo-Irish, and excited the more inflammable passions of the ancient Irish. The latter longed for the restoration of their church to its ancient splendour, and they

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had always been in the habit of seeking the protection of foreign princes in their contests against their English oppressors. The Anglo-Irish, also, had been tormented with numerous oppressions, especially by fines and forfeitures, and by those inquisitions into their titles which the Stuarts had instituted for the purpose of depriving them of their lands. They were, however, opposed to any religious revolution, although they were Catholics; because they had shared in the ecclesiastical plunder which marked the establishment of the reformed church in Ireland; and they had, in all the wars which followed, constantly adhered to the English government. Thus, the primary causes of the great rebellion which now broke out lay in the two great sins of the English government: the penal laws, which pressed heavily upon these two great parties, and the systematic iniquity which despoiled them of their possessions.* It could hardly be expected, therefore, that these people, who had been oppressed for so many years, should miss such an occasion for revolt as that which now offered.

The Irish chieftains of Ulster, especially Sir Phelim O'Neil, the head of the Tyrone family, and Lord Macguire, of Inniskillen, readily listened to the suggestions of O'Moore; while the gentlemen of the Pale sought to attain the common objects by appealing to the King, whose interests and necessities at that juncture induced him to listen to their demands, and to sign two bills to be passed into laws in the Irish parliament:—the one confirming the possession of lands which had been held uninterruptedly for sixty years; the other renouncing all claims of the crown founded on Strafford's inquisitions. Negotiations between Charles and the lords of the Pale. The relaxation of the penal laws, which they also demanded, was left to a secret negotiation which Charles was then carrying on through the Earls of Antrim and Ormond, for the purpose of securing the 8,000 troops which Strafford had lately raised, for service in England. The lords justices, Borlase and Parsons, who were then entrusted with the government of Ireland during the absence of Strafford's successor, the Earl of Leicester, were too much attached to the English parliament, to allow these bills to be passed; they prorogued parliament (August 7th, 1641), and before the next session opened (November 1st), the general conspiracy was accidentally disclosed to them, at Dublin, The plot betrayed. the evening before the castle was to have been surprised (October 22nd). Macguire and others were arrested; but O'Moore and the leading conspirators escaped.

* Hallam, II., 551; Lingard, X., 42; Moore's Ireland, IV., 219-220.

O'Neil, ignorant of this discovery, rose on the appointed day, and soon made himself master of the open country of First rising in Ulster. Ulster. His followers were, however, little more than tumultuous bands of robbers, unarmed for the most part, who returned home to divide their spoil after they had plundered the plantations, and driven out the proprietors. Few fell by the sword, and none of those frightful acts of cruelty were perpetrated, which afterwards rendered this rebellion an abomination to Europe.

In defence of their proceedings, the insurgents published The Remonstrance. a *Remonstrance*, which was drawn up by the celebrated Bedell, Bishop of Kilmore, declaring that they had taken up arms in support of the royal prerogatives, and for the safety of their religion against the machinations of a party in the English parliament, which had intercepted the *Graces* granted by the King, and had put forth a project for the entire extirpation of the Irish Catholics, and the establishment of new plantations throughout the kingdom.* About the same time (October), a great meeting of the Catholic clergy and laity was held in the ancient Abbey of Multifarnam, West Meath, for the purpose of considering the best methods of getting rid of the planters, whether by expulsion, massacre, or imprisonment. To this ominous meeting, the events that followed formed a fearful sequel. O'Neil, to animate and multiply his adherents, publicly exhibited a forged commission from the King, authorising him to have recourse to arms, and also a letter from Scotland announcing the speedy arrival of an army of Covenanters, with the Bible in one hand and the sword in the other, to conquer or destroy the idolatrous papists of Ireland. He then

O'Neil begins the massacre. made a murderous march through Ulster, sparing no age, sex, nor condition. All the tortures which a horde of half savage followers could devise were inflicted upon the miserable settlers; and death was their slightest punishment.

For six weeks the insurrection was confined to the ancient Irish; but in December, Lord Gormanstown, the governor of Meath, summoned a general meeting of the gentry of the Pale, to be held on the hill of Crofty. One thousand freeholders attended, as well as O'Moore and the chief Irish leaders, and an Which is joined by the Lords of "the Pale." association was formed between the two parties, in which they bound themselves by oath to be true to their objects; viz., freedom of conscience, security of the royal authority, and the liberties of Irishmen. They then published a vindication of

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their proceedings, and immediately commenced hostilities.* The English of the Pale now rivalled the Irish in every act of violence towards the new Protestant settlers; the 8,000 disbanded troops which Strafford had raised added their force to the insurrection, and the number of those who perished by the outrageous cruelties which were committed has been estimated at from 40,000 to 200,000.

42. *The Grand Remonstrance.* When Charles received the tidings of this terrible massacre, he hastened immediately to London, in the expectation, as he wrote to Sir Edward Nicholas, the secretary, that the ill news would "hinder some of these follies in England."† A powerful reaction in his favour had indeed set in in the capital, where a noted royalist had been elected Lord Mayor, and on his entry he was received with loud congratulations by the people. The defection from the number of their supporters had been observed by the popular leaders, and they saw that moderate men, such as Falkland, Hyde, and Culpeper, satisfied with the concessions already made by the King, began to deprecate any further demands upon him. These moderate men, whom their opponents called "Trim-mers," were certainly in correspondence with the King, and expected office from him; but those who were still excluded from his favour, and who distrusted his intentions as well towards themselves as the public cause—such men as Pym, Hampden, and St. John, although the latter was solicitor general—were resolved upon still keeping alive the animosity that was beginning to subside. The secret advices which they received from the parliamentary commissioners in Scotland told them that Charles, having acquired information of their clandestine practices with the Covenanters during the late invasion, was bent upon prosecuting them for treason at the first opportunity; and they therefore felt the necessity of having some security against the monarch's vengeance. For this purpose Pym presented to the House of Commons (Nov. 22nd) the Grand Remonstrance on the state of the kingdom.

This memorable document was not addressed to the King, but was openly declared to be an *appeal to the people*. It was "a severely elaborate" review of Charles's misgovernment, in church and state, from the beginning of his reign. It began by asserting the existence of a coalition of Jesuits and papists, bishops, clergymen, and courtiers, for the purpose of subverting the liberties of England; then followed an enumeration of all the grievances of the reign, and a catalogue of

A reaction
in favour of
the King.

The Remon-
strance is
drawn up as
a safeguard
against the
King.

* Lingard, X., 60.

† Forster's Lives, III., 221.

those remedies which had already been provided, or were still contemplated; and the whole concluded with a complaint that the efforts of the commissioners were generally rendered fruitless by the intrigue of the "malignant" faction which surrounded the throne, and the combination of the popish lords with ill affected bishops who formed so powerful a party in the upper house.*

This Remonstrance met with the most spirited opposition, nor was it carried till after a debate of twelve hours, and then only by a majority of 11; the "yeas" being 159, the "noes" 148. It followed, as a logical consequence, that the appeal to the people thus carried, should be printed; but when a motion to this effect was made by Peard, the member for Barnstaple (and not by Hampden, as Clarendon states), it encountered the most violent opposition, of which Hyde was the leader. His chief ground of hostility was that it was addressed to the people, and not to the King; he denied the right of the House of Commons to print anything without the concurrence of the Peers, and asserted for himself the right of protesting against the vote of the majority. Falkland, Culpeper, and Dering also spoke against it. Pym answered their objections calmly; and then Denzil Holles followed in a violent speech, until the excitement on the other side rose into a general chorus of exclamation that they "all, all!" protested. The scene which followed was more violent than had ever before been seen in parliament: Some waved their hats over their heads, others drew their swords and held them by the pommels in their hands, setting the lower part on the ground; and Sir Philip Warwick, an eye witness, says he "thought they would all have sat in the Valley of the Shadow of Death, for they would, like Joab's and Abner's young men, all have caught at each other's locks, and sheathed their swords in each other's bowels, had not the great sagacity and the great calmness of Mr. Hampden, by a short speech, prevented it, and led them to defer their angry debate till next morning." The motion for the printing was, however, carried next day, by a majority of 23; and two days afterwards the King returned to the capital (November 25th).

On the 1st of December the Remonstrance was presented to Charles at Hampton Court; he evaded an immediate answer, and promised to send one; on which the Commons at once printed the document. In a few days he published a temperate reply, which had been secretly drawn up by Hyde, declaring that he had never refused the royal assent to any bill presented to him for the redress of grievances; and that, as he

The debate
upon it.

Exciting
scene in the
House.

The King's
reply.

* See Forster's] Hist. and Biog. Essays for the best account of this Remonstrance.

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had secured for the present, so he would maintain for the future, the just rights of his subjects. He did not wish to employ evil counsellors, but he would never give up his right to choose his own ministers; and if there were any who desired to lessen his authority, he trusted to bring them to punishment.* But "the jealousy which nations ought never to lay aside was specially required towards Charles, whose love of arbitrary dominion was much better proved than his sincerity in relinquishing it."† Pym, Hampden, and St. John had a sincere persuasion that no confidence could ever be placed in him; and the King's imprudent connivance of popery, and the open encouragement which was given to it in the court, only aggravated their distrust.‡ The Queen was unpopular on account of her religion, and of the evil counsels which were imputed to her. The *Incident* in Scotland not unnaturally led the popular leaders to anticipate a similar conspiracy against themselves; rumours of pretended conspiracies by the Catholics, and of plots against the life of Pym, were perpetually in circulation; while the Irish rebellion, with its attendant massacre, was imputed to the King, although nothing could be more unlikely in itself, or less supported by proof. Thus all things were rushing to a crisis.

Rumours of
plots and
conspiracies

43. *Impeachment of Twelve Bishops.* On the receipt of the news of the Irish rebellion, the two houses had appointed a council of war (November 6th), and had passed an ordinance authorising the Earl of Leicester to raise men for the service in Ireland. To hasten the levy, the Commons now brought forward a bill for the impressment of soldiers; but the King, resolved not to part with that which now seemed to him the last support of his throne, suddenly intimated that he should not assent to the bill, unless with an express saving of his prerogative; and he added that he was "little beholding to him whoever at this time began this dispute." This ill-advised interference was immediately taken up by both houses, who remonstrated against it as an infringement of the privileges of parliament. The King made an "ample apology."

Bill for the
impress-
ment of
soldiers.

In the meantime the Remonstrance was doing its work among the people, who paraded the streets in bands for the avowed

* Clarendon's Rebellion, Book IV. † Hallam, I., 540.

‡ It should be observed, in justification of these great men, that the abolition of the church or the monarchy was never entertained by them; they only sought a strong and decided limitation of the monarchical government; and that they might secure this object, without violence, they turned their thoughts to Charles's nephew, Charles Louis, the young Prince Elector of the Palatinate, in the event of their succeeding in setting aside the family of Charles. (Hallam, I., 540; Forster, VI., 70.)

purpose of protecting parliament, because bodies of gentlemen had gathered round Whitehall to defend the King and the royal family from insult. The Remonstrance had especially exposed the bishops to popular odium; and Williams, who had recently made his peace with the King, and had been preferred to the archbishopric of York, prevailed upon eleven other prelates to join him in a declaration to the effect that the bishops could no longer, without danger to their lives, attend their duty in parliament; and that they, therefore, protested against the validity of any votes or resolutions of the House of Lords during their absence. This rash proceeding was immediately resented by the Lords, who declared it a breach of privilege, and communicated with the Commons, when the latter impeached the twelve prelates of high treason. On the 30th of December they appeared, as culprits, on their knees at the bar of the upper house; ten were committed to the tower, and two, on the score of age and infirmity, to the usher of the black rod.

44. **Impeachment and Arrest of "the Five Members."** Before the surprise excited by this unexpected event had worn away, the public mind was agitated by another and still more extraordinary proceeding. For many days past, great numbers of cavaliers and gentlemen from the country had assembled around Whitehall, where they were joined by the officers, or *reformadoes*, as they were called, whom the disbanding of the army had left without pay or employment. These, and others, eager to push their fortunes by proving their loyalty, boasted of what they would do, and insulted all who supported the parliament. On the other hand, the popular party were no less impatient to show their zeal for their cause. Bands of apprentices, workmen, and others went every morning from the city to Westminster, and, as they passed Whitehall, shouted "No bishops! No popish lords!" Sometimes they would halt opposite the palace, and one of them getting on a post, would there read out to the crowd the names of the "malignant" members of both houses. Violent contests soon arose; and on the first day of 1642, an affray broke out, in which several citizens were wounded, and one killed. "Death to the *Roundheads*," was the cry of a drunken King's officer, ridiculing their closely cropped heads, and the name was instantly taken up and adopted by the popular party. In consequence of these disturbances, the House of Commons again asked the King for a guard. He had replied before, that he

Origin of
the term
"Round-
head."

1631

was a sufficient protection for them, and in now refusing their request he used words to the same effect. On this, the house ordered the lord mayor and council of London to keep the city militia in readiness; and, while they were still debating upon the King's answer (January 3rd, 1642), Sir Edward Herbert, the attorney-general, appeared at the bar of the House of Lords, and, in the King's name, impeached of high treason, Lord Kimbolton, and "the five members," Mr. Pym, Mr. Hampden, Mr. Holles, Sir Arthur Hazelrigge, and Mr. Strode.

The articles of charge were seven in number, drawn up by the King himself. The *first* charged the accused generally with the attempt to subvert the government and fundamental laws, and to place in subjects an arbitrary ^{The im-} and tyrannical power. The *second* attributed to them the traitorous ^{peachment.} endeavour, by many foul aspersions upon his majesty and his government, to alienate the affections of the people, and to make his majesty odious to them. The *third* charged them with having endeavoured to seduce the army; the *fourth* imputed to them the traitorous invitation and encouragement of the Scottish rebels to invade the realm. The *fifth* accused them of having traitorously endeavoured to subvert the rights and very being of parliaments, by preventing the minority from protesting against the Remonstrance. The *sixth* accused them of having raised tumults against his majesty; and the *seventh* of traitorously conspiring, and actually to have levied war against the King.*

Instead of ordering the impeached members into custody, the Lords sent a message to the Commons, and appointed a committee to search for precedents for such an extraordinary step as the King had thus taken. Indignant at this delay, Charles sent a serjeant-at-arms to the Commons to demand the persons of the five members. They returned for answer that it was a matter which required serious deliberation, but that the accused would be ready to answer any legal charge; and Pym and Hampden being present, were formally requested by the speaker to attend the next day. Early the next morning (January 4th), Pym rose in his place and defended himself in an able and eloquent speech, at the conclusion of which he inveighed against the King's proceedings as a breach of the privileges of parliament.† They were certainly irregular; for the accused being commoners ought to have been tried by a petty jury, on a bill found by a grand jury; that is, ^{its} illegality. according to the ordinary course of law, and not by impeachment. After the other accused members had spoken, the house adjourned for dinner, and in the afternoon, about four o'clock, the King came with a body of 500 armed men, for the purpose of arresting the members. But a few minutes before, Pym had been informed of

* Forster's "Arrest of the Five Members," Section XI.

† Forster's Life of Pym, in his Lives, III., 237-242; also his "Arrest of the Five Members."

the King's purpose by a message from the Countess of Carlisle, the sister of the Earl of Northumberland, and a lady in waiting to the Queen, and he and his companions had been ordered by the speaker to withdraw, for the avoidance of bloodshed.

Having stationed his guard at the door, the King entered, with his nephew Charles by his side. He took the chair, looked around him, and not seeing the men whom he sought, asked of the speaker, Mr. Lenthall, if they were present. Lenthall, falling upon his knees, replied that he was merely the organ of the house, and that he had neither ears to hear, nor tongue to speak, but as he was directed by it. Charles then seated himself in the speaker's chair, and addressed the members, who were all standing uncovered, saying, that in cases of treason there was no privilege, that he did not purpose violence against the accused, but should proceed against them by due course of law; that, as the birds had flown, he expected the house would send them to him, or he should resort to other expedients. He was heard in silence, but low, yet distinct murmurs of "privilege! privilege!" sounded in his ears as he retired. In the meantime, the soldiers had been waiting in the lobby very impatiently for "the word to fall on," cocking their pistols, and threatening the members. They now followed the King to Whitehall, and that night a proclamation was issued, directing that the ports should be stopped, and that no person should, at his peril, venture to harbour the accused.

The five members had, meanwhile, taken refuge in Coleman-street, city, and on the following day, Charles proceeded through the streets in search of them, and he went to Guildhall, and made a speech to the common council, containing

many gracious expressions. But he was everywhere received with the most marked discontent; multitudes followed his carriage, crying "privileges of parliament;" and one flung a paper into the carriage window, with these words on it, "To your tents, O Israel!" The citizens paraded the streets all night in arms; the House of Commons, which adjourned for a week, appointed a committee to sit during the recess, for the purpose of arranging matters with their partisans; and, when the house re-assembled

(January 11th), the five accused members proceeded by water to the house, escorted by 2,000 armed mariners in boats; by detachments of the trainbands, with eight pieces of cannon on each side of the river; and by 4,000 yeomen, who had ridden up from Buckinghamshire to defend their representative, Mr. Hampden. As this immense multitude passed

The King goes to the house with an armed force.

His reception in the city.

Triumphant entry of the members.

1641

Whitehall, they asked, with insulting shouts, "What has become of the King and his cavaliers? And whither are they fled?" Charles had, indeed, fled. Deserted by all, and overwhelmed with grief, shame, and remorse, for the fatal measures into which he had been hurried, he had retired with his Queen and family to Hampton Court; and when he next entered his capital, it was as a prisoner in the hands of the army. It now became evident that all hope of a reconciliation was at an end, and only one appeal—an appeal to the sword—remained. Clarendon himself says that both Pym and Hampden were much altered after this; and their nature and courage seemed much fiercer than before. The King soon became aware of the vantage ground which his conduct had thus given to his opponents, and he attempted to retrace his steps by apologising for his hastiness; he offered a "free pardon" to the members, and said he had since found that there was "good cause wholly to desert any prosecution." But these concessions only strengthened the obstinacy of the Commons, who insisted that Charles should inform them who had advised him to commit so flagrant a breach of privilege (January 13th).

Charles's
ignominious flight.

45. Transactions during the King's Retreat to the North. The advisers whom the Commons thus insisted upon Charles giving up to them were, the Queen and Lord Digby, the son of the Earl of Bristol, both of whom, it was known, had urged him to this rash step. Wiser counsellors, however, had been introduced into the ministry, Sir John Culpeper and Lord Falkland, the former of whom was chancellor of the exchequer, and the latter, secretary of state.* The scrupulous virtue of Falkland had, for some time, withdrawn him from the court; Charles was afraid of him, and did not feel easy in his presence. He opposed the abettors of revolution, not for the sake of the crown, but for the sake of justice; for all his principles and wishes, and the impulses of his somewhat visionary imagination, impelled him towards the friends of liberty. He hated the falsehoods, the corruption, the spies, and all the other base means by which courts too often find it expedient to maintain their power and influence; and his acceptance of office was a pure sacrifice for the good of his country in this hour of her peril.

Who advised
the King
in the
attempted
"arrest."

Character
of
Falkland.

Another statesman, less scrupulous, was Hyde, afterwards Earl

* Forster, in his "Arrest of the Five Members," says, however, that there is ground for believing that these two ministers, as well as Hyde, were cognisant of Charles's intended arrest. Clarendon admits that they were all suspected.

Hyde, the King's spy in the house of Clarendon, who remained amongst the popular party as a spy. Every night he repaired to the King, and acquainted him with what had passed in the several committees during the past day; and he supplied him with answers to the messages and declarations of the Commons, even before they were regularly submitted to the sanction of the house.* While the King thus had his spies in the house, the patriots had theirs in the court, and his most secret designs were regularly reported to them. Aware of his purpose to appoint a royalist officer in command of the Tower, they established a guard round that fortress, under Major-General Skippen, to prevent a surprise; and they issued an order that no ordnance should be removed therefrom "without the King's authority signified by both houses of parliament." Goring, the governor of Portsmouth, was instructed to hold the place under the same authority; the Earl of Newcastle, sent by Charles on a secret mission to Hull, was commanded to attend his duty as a peer; and Sir John Hotham, a rich and influential gentleman of Yorkshire, ordered to proceed immediately, and secure that important place, which contained large arsenals, for the parliament.

On the 13th of January, the Commons passed their famous declaration for putting the kingdom in a state of defence, by which all officers, magistrates, and others, were enjoined to take care that no soldiers be raised, nor any castles or arms given up, without his majesty's pleasure, signified by both houses of parliament, and on the 20th they followed this up by demanding from the King, as "a ground of confidence," that the government of the army and navy should be entrusted to officers nominated by the two houses.

This was the grand question upon which the quarrel finally rested. For if Charles had assented to this demand, he would have deprived himself of a power essential to royalty, and have thrown himself, without resource, at the feet of his enemies. Yet he did not absolutely refuse to accede to the proposal, but resorted to his characteristic duplicity; arguing, that as a commission under the great seal was of no effect if it were contrary to law, so an act of parliament had no power to bind when it was subversive of the ancient constitution of the realm.† This specious reasoning relieved him from his present difficulties, by authorising him to resume at pleasure, what he should now concede through necessity; and he not only passed the bill against pressing soldiers, but also assented to another

Dispute about the command of the militia

* See his Life.

† Lingard, X., 56.

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which deprived the bishops of their seats, and of all temporal employments. He also offered to submit all disputes respecting the liturgy to the consideration of parliament; promised never to grant a pardon to a Catholic priest without their previous consent; requested to know the names of the persons who might be trusted with military commands, approved of the list, and only requested, *first*, that their appointment should be limited to a certain time; and, *second*, that the powers which they were to exercise should first be conferred by statute on himself, that they might receive them through him. This last requirement exposed the King's faithlessness; the facility with which he assented to so much, excited distrust in the Commons, and they voted that his last proposal was, in reality, a denial (February). In a few days (March 5th), they issued an *ordinance* (as the bills which passed the two houses, but did not receive the royal assent, were now styled), which appointed, by the authority of parliament, fifty lords and commoners lieutenants of different districts, with power to nominate deputies and officers, and to suppress insurrections, rebellions, and invasions.

Royal concessions too free to be real.

In the meanwhile, Charles had sent his Queen to Holland, under the pretence of conducting his daughter Mary to her husband, the Prince of Orange, but really for the purpose of soliciting aid from foreign powers, of raising money on the crown jewels, and of purchasing arms and ammunition. He now gradually withdrew from the vicinity of the metropolis, first to Theobalds, then to Newmarket, where he held a long and painful conference with the parliamentary commissioners (March 9th);* then into the more northern counties; and, at last, he fixed his residence at York (March 24th).

Charles gradually retires to the north.

46. The Paper War between the two Parties. A long succession of declarations and answers, petitions and complaints, remonstrances and protests, now occupied public attention for several months; but, although negotiations went on, neither party hoped for anything from them. They ceased, in fact, to address each other in their messages, but appealed to the nation at large. For this purpose, the press, free for the first time in England, was incessantly kept at work, and the country inundated with publications. Now, "News from Hull," "Truths from York," and "Warranted Tidings from Ireland," coursed the country side; now the "Scots' Dove" assaulted and tore to pieces the

Newspapers and pamphlets.

* Guizot's Eng. Rev., 144-5.

"Parliament Kite," or the "Secret Owl;" and the "Weekly Discoverer" suddenly found himself "The Discoverer stript naked." The principal regular newspapers were, however, on the side of parliament; the *Mercurius Britannicus*, written by the famous Marchamont Needham, or "foul mouthed Ned," as his opponents styled him; and on the King's side, the *Mercurius Aulicus*, published at Oxford, under the editorship of John Birkenhead, who was as scurrilous as the other.* These newspapers produced a powerful effect. They were distributed through the country by the footposts and the carriers; at the assizes, on market days, at the doors of the churches, the people crowded to buy and read them; and, amidst this universal outburst of thought, the laws and customs of the realm were constantly appealed to as the only legitimate criterions of the dispute, although every man knew that it was the national sovereignty grappling with the sovereignty of divine right, which was at the bottom of the whole matter. Parliament, conscious that it had to carry on a revolution which, at the same time, it was compelled to disavow, fluctuated between boldness and cunning, violence and hypocrisy. Not content with taking possession of the sovereign power, it voted, as a principle, and a law, that the command of the militia did not belong to the King; that he could not refuse his sanction to bills demanded by the people; that the house, without his consent, had the right to declare what was law, and that it was good and lawful to petition for the change of customs and statutes, but that petitions for their maintenance should be rejected as nugatory.

Peculiar
position of
parliament.

Maxims such as these were contrary to the very existence of the monarchy, and the King took advantage of them, because they enabled him to speak in behalf of the laws and traditions of the realm. Able and learned champions took up his cause, and such was the effect of the royal papers they drew up, that parliament made every effort to suppress them; for the Royalist party visibly increased every day. Even among the populace, their abuse of the patriot leaders found welcome and credit; they sneered at "King Pym,"† and the "sugar loaves"

Royalist
libels.

* Forster's *Lives*, III., 275-276.

† The following Royalist Epigram upon the *Parliament's Beliefs*, will illustrate this title, and show how far these party scribes went:—

Is there no God? let's put it to a vote.
Is there no Church? some fools say so by rote.
Is there no King, but Pym, for to assent
What shall be done by Act of Parliament?
No God, no Church, no King—then all were well,
If they could but enact there were no Hell.

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he had formerly received as presents; at the Earl of Warwick, "whose soul was in his shoes," and others. The parliament, alarmed at the boldness of the Royalists, even in the neighbourhood of London, resorted to tyrannical measures, and imprisoned those members who manifested the slightest interest in the King's cause; and all petitions favourable to Charles were received with insult, and thrown aside.

47. Cromwell begins to make himself prominent. One man, as yet little noticed in public, but more able and already more deeply engaged than any other in the machinations of the revolution, especially engaged himself in suppressing these obnoxious petitions. This was Oliver Cromwell, who employed his activity and influence in the external business of parliament, in exciting the people, and in watching and denouncing the tricks of the Royalists out of doors.

Oliver Cromwell was of no mean birth, as has generally been alleged, being related to the royal house of Stuart through his mother, and also to the Earls of Essex, and the houses of Hampden, St. John, and Barrington. His grandfather, Sir Henry Cromwell, was four times sheriff of Cambridgeshire and Huntingdonshire, and his uncle, Sir Oliver, was reputed to be the richest knight in England. He was the son of Robert Cromwell and Elizabeth Stuart (the daughter of a knightly family in the Isle of Ely), and was born at Huntingdon, April 25th, 1599; but his father, who was a farmer and brewer, resided at Hinchinbrook, hard by, and both Charles I. and James I. had made royal visits there. Cromwell, after receiving a good school education, was sent to Sidney Sussex College, Cambridge, whence he removed to Lincoln's Inn, and, at the age of twenty-one, married Elizabeth, daughter of Sir James Bouchier, of Essex. In the parliament of 1628, he sat as member for Huntingdon; but in those of 1629 and 1640, he was returned for the borough of Cambridge. From the very outset of his career he was attached to the popular party, and his house at St. Ives was notorious as a refuge for Non-conformist ministers, whom he encouraged in their opposition, while he made known their wrongs and urged the necessity of redress. His character in his private life was above all suspicion; and his piety and self-denying virtue were well known. He was slovenly in his appearance, rough and uncouth in his manners, being subject to fits of hypochondria. When he spoke, his language was but indifferent, though it was full of fervour, and "he was very much hearkened unto." "That sloven," said Hampden

Sketch of
his
previous
career.

of him to Lord Digby, soon after the Long Parliament met, "whom you see before you, hath no ornament in his speech—that sloven, I say, if we should ever come to a breach with the King, which God forbid! in such a case, I say, that sloven will be the greatest man in England."

48. The King shut out of Hull. While the two parties thus gradually advanced to the civil war, which was now no longer doubtful, an unexpected incident hastened their movements, and irrevocably separated them. The two great magazines of the kingdom at that time, were Hull and the Tower. All the King's attempts to secure the latter stronghold had failed; but the former still remained; and, being told that the governor, Sir John Hotham, felt little attachment to the popular cause, Charles went, at the head of 300 horse (April 23d), and demanded admittance. But Hotham refused, and he was thereupon declared a traitor. This produced a series of angry messages between the King and parliament; in which the former maintained that Hull, being a royal town, the fortress was the private property of the crown; and the latter, that no national fortresses were personal property which the King could claim, as a citizen could claim his field or his house. The care of these places, they said, had been vested in the sovereign for the safety of the kingdom, to be managed by him by the advice of parliament.* This answer, frank and legitimate enough, was equivalent to a declaration of war, and both parties so considered it. Thirty lords, and more than sixty

Men begin
to take
their
places.

commoners, departed for York. The Earls of Essex and Holland, refusing to obey the King's order to join him, were deprived of the offices they held in the royal household; but Lord-keeper Lyttleton was induced by Hyde, to send the great seal to the King, and repair to York. The latter circumstance produced great sensation in London, because legal government was considered inherent in the possession of the great seal; the Commons, however, would have had a new one made, but the Lords objected.†

49. Preparations for War. The energy of the Commons soon prevented any further indecision: the absent members were summoned to return; every citizen was forbidden to take up arms at the command of the King; directions were sent into every county for the immediate organisation of the militia; the stores of Hull were safely transferred to London; the King had ordered the Westminster assizes to be held at

Energy
of the
Commons.

* Guizot's Eng. Rev., 151; Forster's Lives, III., 263-265. † Clarendon's Life.

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York, in order to concentrate around him all legal government ; but the parliament opposed the order, and was obeyed ; a loan was negotiated in the city ; commissioners were despatched to York to watch the King's proceedings ; and the Earls of Warwick and Essex were appointed, the first to command the fleet, the second, to command the army.

On the other hand, the King was not idle. Numbers of the nobility, gentry, and clergy, lent him money ; the university of Oxford sent its plate ; and Cambridge, following its example, also had its plate packed up ; part of it, indeed, was already gone, when Cromwell, ever vigilant, arrived suddenly with a troop of horse, seized the magazine and the castle, and prevented the university from sending off the remainder. A vessel sent by the Queen from Holland, brought a supply of arms, ammunition, and 16 pieces of cannon ; and, in opposition to the ordinance for levying the militia, Charles issued commissions of array, for each separate ^{The King's preparations.} county, according to the ancient custom. Thus the whole kingdom was thrown into confusion. In every shire, almost in every township, were persons raising men at the same time for the King and the parliament ; in the southern and eastern counties, the latter generally prevailed ; the former in the northern and western counties. In many places rencontres took place between the parties ; blood was shed, and prisoners were made. To excite the zeal of the Royalists, Charles made a progress through the counties of York, Leicester, Derby, Nottingham, and Lincoln, holding meetings of the nobility. These gatherings, the speeches that were made at them, the gentry forsaking or fortifying their houses, the citizens re-building the walls of their towns, the roads covered with armed travellers, the daily exercise of the militia, all presented the aspect of declared war.* The King could muster about three-fourths of the nobility and superior gentry ; but they were for the most part men of pleasure, fitter to grace a court than to endure the rigour of military discipline ; devoid of mental energy, and likely, by their indolence and debauchery, to offer advantages to a prompt and vigilant enemy. Many of them, however, indeed almost all, had joined the royal army from no other feeling than that subtle and delicate sense ^{Spirit which animated the Cavaliers.} of honour which the term *loyalty* inspires ; while their voices were their own in the great parliamentary struggle for the liberties and laws, their swords, they argued, were the King's

* Guizot's Eng. Rev., 162.

alone. "I would not continue here an hour," wrote Lord Robert Spencer to his wife, from the King's camp, "if there could be an expedient found to solve the punctilio of honour." So thought Sir Edward Varney, the first standard-bearer to Charles, who told Hyde it was no love for the cause which retained him in the royal ranks, "but he had eaten of the King's bread," and honour bound him to the service. Such a man, again, was the upright Falkland, whose agonising doubts expressed themselves in those shrill and sad accents which he was constantly uttering, "peace! peace!" and who passionately prayed to be delivered soon out of the troubles and evils of the times. These men soon fell, and thus had their high-souled scruples solved.

But while honour alone thus bound a great portion of the royal party together, the faster and firmer bond of liberty held together the parliamentary army, massing in one compact array all the substantial yeomanry, the merchants, the men of the towns, and a very large and formidable minority of the peerage and landed gentry. No doubts or scruples troubled these men; they had felt the oppressions of monopolies and ship money; to the patriots they were indebted for their freedom from such grievances; and as to them they looked in gratitude for past benefits, so they trusted in their wisdom for the present defence of their liberties. To political, they added also religious enthusiasm. The opponents of Episcopacy, under the self-given domination of the godly, sought to distinguish themselves by the severity of their morals; they despised all others as men of dissolute or irreligious habits, and in the belief that the reformed religion was in danger, they deemed it a conscientious duty to risk their lives and fortunes in the quarrel. Thus were brought into collision some of the most powerful motives which can agitate the human breast, loyalty, liberty, and religion; the conflict elevated the minds of the combatants above their ordinary level, and produced a spirit of heroism, self-devotedness, and endurance, which demands our admiration and sympathy. Father fought against son, and son against father; brother against brother, and of cousins without number, one part was with the King, the other with the parliament. "The Earl of Warwick fighteth for the parliament," says a curious pamphlet of the day, "and my Lord Rich, his son, is with the King; the Earle of Dover is with the King, and my Lord Rochford, his son, is with the parliament; the Earle of Northumberland with the parliament, and his brother with the King;" and so the pamphlet

And the
Roundheads.

The war
unnatural.

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goes on to mention many more.* The day came, however, in which good and evil, salvation and peril, were so obscurely confounded and intermixed, that the firmest minds, incapable of disentangling them, were made the instruments of God, who alternately chastises kings by their people, and people by their kings.†

50. **State and composition of the two Armies.** Each army in its composition resembled the other. Commissions were given, not to the ablest men, but to those who were most willing and able to raise troops; and the troops themselves, who were generally ill paid, and who considered their services as voluntary, often defeated the best concerted plans by their refusal to obey orders. To enforce discipline was dangerous; and both the King and the parliament were compelled to entreat or connive where they ought to have employed authority and punishment. The parliamentary levies were formed into foot regiments of about 1,000 each, of which there were twenty, and into troops of horse, of which there were seventy-five of sixty men each. Lord Fairfax, the father of Sir Thomas, was entrusted with the command of those which were destined to make head The parliamentary forces against the Marquis of Newcastle, in the north; a like charge devolved on Sir William Waller, in the west, where Sir Ralph Hopton, Grenville, and Stanning, occupied the greater part of the country, and some of the small seaports, for the King; Lord Brook in Warwickshire, Lord Say and his sons in Northamptonshire; the Earl of Bedford in Bedfordshire; and Lord Kimbolton and Cromwell in Huntingdonshire and Cambridge; together with many others in the adjoining counties, held similar trusts. The whole of these forces were placed under the command of the Earl of Essex, and a committee of public safety appointed by act of parliament, had the supreme management (July 4th). The divisions were generally placed under the command of such of the chiefs as had served in the wars of Gustavus Adolphus; and a few French and German engineers were engaged in superintending the fortifications and drilling the artillery. The regiments of infantry, as their clothing became more complete, assumed the colours of their respective leaders—generally such as had been worn by the serving men of their families. Holles's were the London red-coats; Lord Brook's the purple; Hampden's the green-coats; Lord Say's and Lord Mandeville's (Kimbolton) the blue. The orange, which had long been the colour of Lord Essex's

* Forster's Lives, III., 345. † Guizot's Eng. Rev., 159.

household, and was now that of his body guard, was worn in a scarf over the armour of all the officers of the parliamentary army, as the distinguishing symbol of their cause. Each regiment also carried a small standard or cornet, with the motto or device of its colonel on one side, and the parliamentary watchword, "God with us," on the other. The Earl of Essex's bore the inscription, "Cave, adsum"; Algernon Sidney, the second son of the Earl of Leicester, who entered the war in its third year, inscribed his standard with the words, "Sanctus amor patriæ dat animum"; and the motto which was borne at the head of Hampden's regiment resolutely vindicated its great leader's course, "Vestigia nulla retrorsum."* It was not so easy to equip these regiments as to raise them. Matchlocks, pikes, and poleaxes supplied, however, the greater number of the infantry; but the cavalry were better provided. The steel cap and gorget, the back and breast plates, the tussets descending to the knees, the long sword, carbine, and pistols, and occasionally the long lances, presented a tolerable set out. The completeness of the defences of Hazelrigge's regiment won them the name of "The Lobsters," and that of "Ironsides" has been immortally appropriated by Cromwell's men.

Both parties soon distinguished their adversaries by particular names. The parliamentarians were called *Roundheads*, the origin of which we have before seen; and the royalists, *Cavaliers*; a French term, not necessarily of reproach, but certainly used in that sense by the popular party, to denote the un-English character of those desperadoes who defended the Queen and her papist adherents from the insults of the mob at Whitehall.†

51. The "Nineteen Propositions." Although active preparations for war were thus going on, there were many, both at York and at London, who laboured to effect an accommodation, and on the 27th of May, 1642, parliament was induced to appoint a committee, which drew up nineteen propositions to be tendered to the King at York. They demanded:

1 and 3. That the privy council and officers of state should be approved by parliament, and take such an oath as it prescribed.

2. That during the intervals of parliament, no vacancy in the council should be supplied without the assent of the majority, subject to the future sanction of the two houses.

4 and 5. That the education and marriages of the King's children should be subject to parliamentary control.

6 and 7. That the penal laws against papists should be strictly enforced, and the votes of the popish lords taken away.

* Nugent's "Memorials of Hampden and His Times."

† Forster's "Arrest of the Five Members."

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8. That the church government and the liturgy should be reformed as both houses should advise.

9, 15, and 16. That the militia, and all fortified places, should be put in such hands as parliament should approve, and the forces now attending his majesty discharged. And no forces raised in future, except according to law, in case of actual rebellion or invasion.

10, 13, 14, and 18. That members of either house who had been deprived of office, should be restored; *delinquents* punished; the five members cleared; and the general pardon offered by the King subject to such exceptions as both houses should advise.

11 and 12. That the Petition of Right, and other statutes passed by this parliament should be observed, on oath; and that judges should hold their offices during good behaviour.

17 and 19. That the King should enter into a stricter alliance with the United Provinces, and the other Protestant States of the continent, and that he should pass a bill for restraining all peers to be made in future from sitting in parliament, unless they should be admitted with the consent of both houses.*

When Charles read these articles (June 2nd), he angrily broke off all further negotiations. The national party expected a refusal; a committee of Public Safety was immediately appointed to govern the kingdom (July 4th); and, after a formal demand that Charles should disband his forces, and return to the capital, which the King refused, unless the parliament disarmed first, all communication ceased, and war was resolved upon.

Committee
of public
safety ap-
pointed

SECTION IV.—DURING THE CIVIL WAR, 1642-1649.

I. FROM THE COMMENCEMENT OF HOSTILITIES TO THE ALLIANCE OF THE PARLIAMENT WITH THE SCOTS.

52. **The Raising of the Standard.** The commencement of general hostilities is said to have been occasioned by the Earl of Essex laying siege to Portsmouth, which was held by Colonel Goring for the King (August 2nd). Charles immediately proclaimed Essex and his officers traitors, unless they returned to their duty within six days. The parliament declared this proclamation a libellous and scandalous paper, on which Charles summoned all his loving subjects north of the Trent, and within twenty miles to the south of that river, to meet

The royal-
ists are
summoned
to meet at
Notting-
ham.

* Clarendon's Rebellion, Book V.

him in arms at Nottingham on the 22nd of August. On the 25th the royal standard, on which was a hand pointing to a crown, with this motto, "give to Cæsar his due," was carried by a guard from the castle into a large field, on the top of a hill which overlooked the town. A retinue of 2,000 men followed the King. As soon as the herald began to read the proclamation, the King took the paper from him and made some corrections in it; at the sound of the trumpet the standard was brought forward, but no one knew where to erect it, nor the precise form of the ancient feudal ceremony by which Charles, as lord paramount, now desired to assemble his vassals. At last they planted it on one of the castle towers, after the example of Richard III., the latest known instance; but that same night the standard was blown down, and when the King was informed of it, he asked why it had been put there, saying *it ought to have been set up in an open place, where every one might have approached it, and not in a prison.* The heralds therefore took it out of the castle, just outside the park; but when they sought to plant it, they found the ground mere rock. With their daggers they dug a little hole, in which to fix the staff; but it would not stand, and for several hours they were obliged to hold it up with their hands.

53. The Battle of Edgehill. A month after this untoward ceremony, Charles proceeded to Shrewsbury, collecting reinforcements and enforcing contributions as he went; but so adverse to his cause was the country through which he passed, that even the blacksmiths left their homes to avoid shoeing his horses.

Waller, in the meantime, had reduced Portsmouth, and Essex had concentrated his forces in the vicinity of Northampton, whence he set forward, and slowly followed the royal army. His right wing, under Hampden, Holles, Say, and others, defeated a royalist force under Lord Northampton on the *Dunsmore road*, near Southam; and presently afterwards encountered another detachment, which was pursued to Oxford. On the 23d of September the main army, consisting of about 15,000 men, reached Worcester, where Essex lay inactive for three weeks. Charles, taking advantage of this, determined to advance upon London; and he was already on his third day's march, before his enemies knew of his movement. The tidings of his advance filled the capital with terror; but parliament soon adopted measures of defence. Those who had not yet subscribed to the loans were at once called upon to pay, and those who refused were imprisoned. The suspected were disarmed, and

Skirmish
on the
Dunsmore
road

Charles in
advance
upon
London.

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requisitions of every kind took place. Fortifications were hastily raised, a crowd of men, women, and children working at them with ardour; chains were hung across the streets, barricades were erected, and the trainbands were kept constantly on foot. Essex, however, was now rapidly following the royal forces, and on the evening of the 22nd of October, as he entered the village of Keynton, they halted at Edgecot, a few miles in advance. Although he had left several regiments, and part of his artillery behind him, he determined upon an immediate

Essex
overtakes
him at
Edgecot.

attack—a resolution which the King also adopted the same night. The next morning, which was bright and cold, found the royal army, 10,000 strong, posted on the brow of a range of hills, called Edgehill, from which a clear prospect of the enemy could be had across the plain called the “Vale of the Red Horse.” For several hours the two armies quietly confronted each other; the royalists, having a superior position, expecting to be attacked; Essex waiting till his absent regiments should arrive. About noon they grew weary of this terrible suspense; and at two o’clock the King discharged a cannon with his own hand, as the signal for attack. His forces descended from their position; the Parliamentarians, already in advance, encountered them midway, and the battle became general. Essex, and Lord Lindsey, the royal commander-in-chief, both fought at the head of their respective regiments, pike in hand. Suddenly Prince Rupert made a desperate and impetuous onset, and broke the left wing of the parliamentary army, under the command of Sir James Ramsay. The latter instantly fled, hotly pursued by the prince, as far as Keynton, where he found Hampden’s regiment, and the artillery, who drove Rupert back to the battle-field. Here the Royalists were in utter confusion. The parliamentary right and centre having stood firm against all assaults, had charged gallantly in return, captured several guns, and for one moment, had possession of the royal standard, and almost of the King’s person. Night alone saved the royalists from defeat; but although both parties claimed a victory, neither reaped any advantage. Charles, after taking Banbury, turned aside to Oxford; and Essex withdrew to Coventry. About 1,200 men fell in this battle; among them was Lord Lindsey, who was taken prisoner, and died of his wounds.*

The battle.

54. March of the Royal Army towards London. The proximity of the royal army alarmed the metropolis, for Prince Rupert

* Clarendon’s Rebellion, Book VI.

scoured and pillaged the whole country, up to the very environs of the city. The parliament, therefore, ordered Essex to come immediately to their protection. They wrote for assistance from Scotland; they formed a new army under the Earl of Warwick; they voted an address to the King; they even submitted to his refusal to receive as one of their deputies, Sir John Evelyn, whom the evening before (November 2nd) he had proclaimed a traitor. The citizens were panic stricken; the popular leaders could not in anywise excite their courage; and, in the meantime, Charles, informed by his partisans of all that was going on, hastened his march, and reached Colnbrook, only fifteen miles from the metropolis. Essex, however, had now reached London by the more eastern road; Kingston, Acton, and Windsor, were all garrisoned for the parliament, and the only open passage to the capital lay through the town of Brentford. Charles, therefore, did not refuse to see the parliamentary commissioners; but while the parley was going on, the royal cavalry under Rupert suddenly attacked Brentford, and after a sharp action took it. The parliament considered this such a mark of perfidy and blood-thirstiness, that they broke off the negotiations. It is very probable, however, that neither party was sincere in these proceedings; the parliament had discovered that the royal army was not so formidable as they had at first apprehended, while there were many about the King, as Clarendon says, who were opposed to the conclusion of a treaty so early. The King's position, indeed, had now become critical. Essex had assembled 24,000 men, and taken up a strong position at Turnham Green; Charles therefore retreated again to Oxford, through Reading.

Charles
retreats to
Oxford.

55. The war in the country generally. "We all thought one battle would decide it," says Richard Baxter in his *Life*, "and we were all much mistaken." The war, indeed, had already become too general for so speedy a conclusion being effected. Each county, town, and hamlet was divided into factions, who sought each other's ruin; and while the war in the neighbourhood of London seemed to languish, elsewhere it broke forth spontaneous and energetic, and was openly carried on in each locality by the inhabitants on their own account, without any attention to what was passing at Oxford and London. Already the country was covered

Warlike
confederations.

with warlike confederations, freely entered into by the partisans of the respective parties. At first they requested, from the King or the parliament, commissions for their leaders, and power to levy soldiers, impose taxes, and adopt all

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such measures as they considered necessary to insure success. After this, they acted separately, and almost at their own discretion. The two most important of these confederacies were, the association of the four northern counties for the royal cause; and the Eastern Counties Association, for the parliament, comprising Norfolk, Suffolk, Cambridge, Huntingdon, Bedford, Essex, Lincoln, and Hertford. All the other associations fell to pieces in a few months, there being no man of mark amongst them; but this one, through the genius and activity of Cromwell, was able to keep its own borders clear of invasion during the whole course of the war. In default of these local leagues, some influential man would levy a small body of his own, and carry on warfare for his party; while in other places more pacific feelings prevailed for awhile; Yorkshire and Cheshire concluded a regular treaty of neutrality; Devonshire and Cornwall followed their example, agreeing to put down all disturbances within their borders, and to oppose the entrance of the armed forces of either party. These latter associations were called *Clubs*, and, had the other counties adopted the same policy, the war would soon have terminated. But the Clubs were left alone, and both parties, ere long, considered them as opposed to their interests, so that these neutral counties were compelled to espouse one or other of the causes.

The Eastern
Counties
Association.

The Clubs.

In the eastern, midland, and south-eastern districts, the most populous and wealthy, the Parliamentary party was strongest; in those of the north, west, and south-west, the preponderance belonged to the King; here landed property was less divided, industry less active, the higher nobility more influential, and the Roman Catholic religion had more adherents. The parliament had thus this advantage, that the counties devoted to its cause were all contiguous, and formed a strong girdle of defence round London; while the Royalist counties stretched from the Land's End to the extremity of Durham, in a long and narrow line, which was broken by adverse districts, so that they could not maintain any correspondence, could not act in concert, and only protected the rear of Charles's head quarters at Oxford, a town which lay almost isolated amidst the enemy's territory.*

Weakness
of the royal
line of
defences.

56. Negotiations for a Treaty at Oxford. The year 1643 opened with negotiations for peace at Oxford. The demands of the parliament amounted to fourteen articles, those of Charles were confined to six; but only the first in each class came into

* Guizot, 172-3; Mrs. Hutchinson's Memoirs; Lingard, X., 80-82.

discussion. No argument could induce the houses to give up to the King the sole disposal of the military and naval forces ; and Charles would not hear of their proposal, that both armies should be disbanded, and that he should return to London. The parliamentary commissioners, the Earl of Northumberland, Holland, Whitelocke, and others, endeavoured, as much as possible, to effect a compromise, and intimated that, if the King would give up the militia, he might save the bishops and the church. The reception he gave to this proposition excited in the commissioners a strong hope of success ; but the next morning he gave them almost an absolute denial, and said that when he should be in the lawful possession of his revenues, magazines, ships, and forts ; when all the members of parliament, except the bishops, should be restored to their seats, and when the two houses adjourned to some place at least twenty miles from London, he would consent to the disbanding of both armies, and would meet his parliament in person (April 12th, 1643). On the receipt of this answer, the commissioners immediately left Oxford (April 15th). The reason assigned for this rancorous and haughty conduct of Charles is so strange, that it would be incredible, were it not given upon the authority of one of his own supporters, Clarendon. This writer says that he had solemnly promised the Queen, on her departure for Holland the year before, never to give away any office without her consent, and to make no peace without her interposition and mediation.* In the equally balanced condition of both forces at this particular juncture, some compromise on the great question of the militia was not impracticable, had Charles been really anxious for peace ; for we should remember that parliament was justified in demanding security for themselves, especially when the King had, not long before, peremptorily excluded several of their leading men from amnesty. The truth is, that both parties stood out for more than they could, either as belligerents, or according to the principles of the constitution, reasonably claim ; the parliament had no right to control the military force, nor the King, on the other hand, a right to keep an army on foot without the consent of parliament. It was the desire of Whitelocke, and many other moderate men, to dispense with all military forces whatever, as the country had no need of them at that time ; but when swords are once drawn, they are seldom sheathed till experience has shown which is the sharpest blade.†

The Queen
the cause
why the
negotia-
tions failed.

* Clarendon's Memoirs, I., 181.

† Hallam, I.

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The Commons suspected that the Queen's ascendancy over her husband was the cause of the King's rejection of their demands, and they, therefore, determined upon a remarkable stroke of policy, in order to prevent the renewal of negotiations. In February, Henrietta, having escaped the parliamentary fleet, had landed at Burlington, in Yorkshire, with arms and ammunition, and, proceeding to York, was there joined by a host of Roman Catholics eager to serve her. The Commons, therefore, took advantage of this, and impeached her of high treason (May 23rd), which exasperated the King, and cut off all hope, for the present, of any accommodation.

She is
impeached
of high
treason.

57. **Renewal of Hostilities. 1643.** Essex began the campaign by the capture of Reading (April 27th); but he obstinately refused to besiege Oxford, as Hampden advised. It was not that he was either treacherous to the parliament, or afraid of risk; for he was ever distinguished by bravery, and cheerfulness under adverse circumstances; but he made war with regret, and he had little confidence in the Committee of Safety, who were opposed to any overtures for peace. The more violent of the war party had gone so far as to demand his removal, and to suggest Hampden as his successor. But that remarkably prudent man had no desire for supreme command, brave and daring as he was at the head of his regiment. Since the war had begun, however, there were other parliamentary leaders who had acquired fame and shown abilities for generalship. In the north, Fairfax and his father, notwithstanding the superiority of Lord Newcastle, maintained the parliamentary cause with boldness and spirit. Lord Manchester (late Lord Kimbolton and Lord Mandeville), who was at the head of the Eastern Counties Association, had also rendered valuable assistance to the parliament in the northern and midland counties; while Colonel Cromwell, at the head of his famous Ironsides, had made himself famous by his dashing exploits, as skilfully planned as they were ably executed. He penetrated into Lincolnshire, disarming the disaffected as he passed; took Stamford and Burleigh by the way; defeated a body of Cavaliers twice as numerous as his own, near Grantham; relieved Gainsboro', by a most daring achievement, in which he placed himself between the army of the besiegers, and that of Lord Newcastle, returning victorious from the battle of Atherton Moor, and then made a masterly retreat towards Boston. At the same time, the parliamentary forces in the south and west dispersed

Essex was
not earnest
in the war.

Other par-
liamentary
leaders.

Fairfax.

Manchester

Cromwell's
exploits.

the Royalist bands; and Sir William Waller, whose rapidity of movement, daring spirit, and contempt of military rules, ^{Sir William Waller.} were advantageously contrasted with the slow and cautious experience of Essex, reduced so many places in such a short time, that his admirers quaintly styled him "William the Conqueror." Only Essex, therefore, allowed the war to languish, while on the other hand, the war party, who were his enemies, and occupied most of the offices in the government, neglected to furnish his troops with pay, provisions, and clothing. The party to which Essex belonged, in fact, already felt that the power they had hitherto wielded, was beginning to fall from their grasp, and that another party was silently forming, more earnest and daring in their purpose, under whose influence also, an army, destined to become invincible, was being gradually formed.

"Your horse are for the most part superannuated domestics, tapsters, and people of that sort," said Cromwell one day to Hampden; ^{Origin of Cromwell's 'Ironsides'} "theirs are the sons of gentlemen. Do you think such poor vagabonds as your fellows have soul enough to stand against gentlemen full of resolution and honour? You must have fellows animated by a spirit that will take them as far as the King's gentlemen, or you'll always be beaten." Which difficulty Hampden acknowledged, when Cromwell answered, "I will do something towards it; I will raise men who will have the fear of God before their eyes, and who will bring some conscience to what they do; *and I promise you they shall not be beaten.*" And then he went through the eastern counties, recruiting young men who were known to him; all of them freeholders, or the sons of freeholders, to whom pay was not an object, nor mere idleness a pleasure; all of them hardy, religious men, engaging in the war for conscience sake, and, under Cromwell, from confidence in him. "I will not deceive you," he said, "and make you believe that you are going to fight for the King and the parliament; if the King were here, I would shoot him as I would any other man among the malignants; he whose conscience will not allow him to do this, let him go." The majority hesitated not a moment; and they were no sooner enlisted than they gave up all domestic comforts, and the license of military life; they were subjected to the severest discipline; and, mixing their military duties with frequent exercises of piety, they combined the free energy of religious zeal with the disciplined firmness of the soldier. Such was the origin of the famous Ironsides, the nucleus of that invincible army which gave numerous victories to the parliament,

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and carried Cromwell to the supreme government of the realm.*

58. **Waller's Plot.** After the capture of Reading, parliament was more occupied with its internal dissensions than with the proceedings of its enemies. The Presbyterians had long demanded, and had been promised, an assembly of divines, ^{The assembly of divines.} to reform the church. This assembly was now convoked (June), but the parliament named 121 members, and associated with them 30 of its own members; and would not allow it to assume any independent authority.

A few days before this, the war party was considerably strengthened by the discovery of Waller's Plot—a scheme for making a strong Royalist demonstration in London; and for the purpose, it was said, of seizing the Tower, arresting the leaders of both houses, and introducing the King's troops into the city. This, however, was the design of only the more determined of the conspirators, for some contemplated no more than the refusal of the very heavy taxes which the parliament imposed upon the citizens; others wanted to present petitions for peace to both houses; and others went no further than the attempt to form a moderate party, which should “stand in the gap, and unite the King and the parliament.” The reputed leader was Edmund Waller, the poet, with whom were leagued several members of both houses; and Lord Falkland, the King's secretary, was in correspondence with them. Upon the detection of this conspiracy, the two houses took an oath not to lay down arms so long as the papists now in arms should be protected from the justice of parliament, and never to adhere to, or willingly assist, the forces raised by the King without the consent of both houses. Of the prisoners arrested, seven were brought before a court martial, of whom five were condemned, but only two suffered, who were executed on gibbets before their own doors. Waller saved his life by the most abject submission; he was fined £10,000, and ordered to travel on the continent (July, 1643).

59. **The Battle of Chalgrove Field, and the Death of Hampden.** During these proceedings, Essex had removed his head-quarters from Reading to Thame. One night, through information received from Captain Urrie, a renegade, Rupert surprised Chinnor in the rear of the army, and killed or captured the greater part of two regiments that lay in the town (June 18th). On the first alarm of this irruption, Hampden moved a force of infantry and cavalry to Chiselhampton Bridge, to intercept the prince's retreat across

* Guizot's Eng. Rev., 183; Forster's Lives, VI., 87-94.

the River Thame. Rupert drew up on a large plain called Chalgrove Field, amidst the standing corn, and in the first charge Hampden received his death wound, his shoulder bone being broken with a brace of bullets. He reached Thame almost fainting, and after six days of cruel suffering, breathed his last, after partaking of the sacrament, and declaring his affectionate attachment to the episcopal church of England (June 24th). In his last hour he prayed most fervently for his country. "O Lord," said he, "save my bleeding country. Have these realms in thy especial keeping. Confound and level in the dust those who would rob the people of their liberty and lawful prerogative. Let the King see his error, and turn the hearts of his wicked counsellors from the malice and wickedness of their designs. Lord Jesu receive my soul."*

Hampden's
last prayer.

60. Disastrous Position of the Parliament's Affairs after the Death of Hampden. The death of Hampden was the prelude to a series of disasters which now assailed the parliament. The enemies of Essex, in leaving his army deficient of everything, had relied with too much confidence on the success of his rivals. While he was sending messenger after messenger to demand supplies, the news came that Lord Fairfax had been defeated at Atherton Moor, near Bradford (June 30th), by Newcastle; that Sir John Hotham was on the point of surrendering Hull to the Queen; that Lord Willoughby could no longer defend Lincolnshire; and that the Eastern Counties Association, the great bulwark of the parliament, was about to be thrown open by the enemy. It was still worse in the south-west, where Waller and his lieutenants incurred defeats in rapid succession. At Bradock Down, Sir Ralph Hopton totally routed his forces under Ruthen, the governor of Plymouth, and disputed with him in person the victory at Lansdowne (July 5th); while again he suffered a bloody and disastrous defeat at Roundway Down, near Devizes (July 13th), from the hands of Lord Wilmot. The Parliamentarians could make no progress in Cornwall; for the bravery and ability of Sir Bevil Grenville, Sir Ralph Hopton, and of the entire gentry, were so admirable, and their popularity was so great, that the King's cause triumphed here for a long time. During the month of August, all the great towns in the south-western counties were captured by the Royalists, and Bristol was surrendered by Nathaniel Fiennes, its governor (July 25th). While every day

Battles of
Atherton
Moor,

Bradock
Down,
Lansdowne,
and Round-
way Down.

Surrender
of Bristol.

* Forster's Lives, III., 373; Nugent's Memorials.

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thus carried to London the most disheartening news, at Oxford confidence was restored by the arrival of the The Queen at Oxford. Queen from York, with 3,000 men, and artillery and stores.

Never was the cause of the parliament in such danger as now. Divisions and jealousies had sprung up; the fidelity of Essex was unjustly suspected, whilst his imbecility was evident; the death of Hampden was an irreparable misfortune; and Pym was already sinking under that fatal disease which deprived the parliament of his unshrinking decision and fortitude in the following Death of Pym. December, just at the time when they were most needed. The Commons, however, soon showed that these disasters did not cast them down, and they at once adopted measures of defence. The Lords took advantage of them to make a solemn protest of their fidelity to the King, and to make proposals of peace. But the Commons called upon them to come to some decision instantly with regard to the great seal; and on their refusal, ordered one to be engraved on their own authority, bearing on one side the arms of England and Ireland, and on the other a representation of the House of Commons sitting at Westminster, without any symbol to indicate the Lords (July). About the same time, the King, flushed with his successes, published a declaration Charles proclaims the two houses to be no parliament. (June 20th), wherein he denied the two houses sitting at Westminster the name of a parliament, a title which he would no more take from them, after the bill he had passed, than they could deprive him of his royal title.* This proceeding shut up all avenues to an equal peace, and it was soon followed by a political error on the King's part, as extraordinary in its character and as mischievous in its tendency. Three peers of the moderate party, the Earls of Holland, Bedford, and Clare, dissatisfied with the preponderance of the violent faction in the Commons, left Westminster, and came into the King's quarters (August); but they met with such ungenerous treatment, that, although they fought in the royal army at Newbury, they found their position intolerably ignominious, and they returned to Westminster, after three months, with many expressions of repentance, and strong testimonies to the evil counsels which prevailed at Oxford. Certain lords go over to the King, but return. It was plain, after this, that any event of the war would fail to restore the blessings of peace and repose to the country, and that reconciliation between the King and parliament was simply impossible. †

The royal proclamation against the parliament at once re-estab-

* Hallam, I., 577.

† Hallam, I., 578-9.

lished union between the two houses, and on the 5th of July they voted in concert that commissioners should proceed to Scotland, to request their brethren in that country to send an army to the succour of the Protestants in England, in danger of falling under the yoke of the Papists. It was also resolved to hold no negotiations with the King until he withdrew his proclamation. Entire union now appeared to reign among all parties in the capital; Essex's army was reinforced and fully equipped; Waller was publicly thanked for his courage, and treated with honour, notwithstanding his reverses; a new army was ordered to be raised in the eastern counties, under the command of Lord Manchester, with Cromwell as lieutenant-general (July 22nd); Hotham was arrested at Hull before he had time to surrender that fortress, and brought to the Tower (June), and Lord Fairfax was appointed to his command. Everything that the parliament did, proved that they were resolved not to be defeated, and the citizens worked at the fortifications of London with the utmost enthusiasm. Yet the dangers which threatened them still increased; the King's successes augmented in every direction; the commissioners named by the peers to go to Scotland, declined to act, so that the four named by the Commons, Vane being one, had to go alone, and they could only go by sea, the roads in the north not being safe, and Fairfax not strong enough to give them an escort. In the meantime, the King published a milder proclamation, and on the 4th of August the Lords sent six resolutions to the Commons, to form the basis of a new treaty, declaring, in a haughty tone, that it was time to put an end to the calamities of the country. The Commons, on a division of 94 to 65, determined to take these resolutions into consideration, but the lord mayor, Pennington, whom the King had excluded from all pardon, procured an address from the common council against peace, and, backed by a tumultuous mob, a small majority was obtained against concurring with the other house. A few days after this, another mob, chiefly composed of women, endeavoured to turn the tables by similar violence; but the military were ordered out against them, and several were killed and wounded. It was in consequence of these intestine animosities that the lords above mentioned, as well as many of the Commons, went over to the King.

61. The Relief of Gloucester, and the Battle of Newbury. The war party, now victorious, proceeded with new vigour in their military preparations; and Essex, having had his army

Renewed
energy of
the
Commons.

The Scots
are invited
to send
succour to
the
parliament.

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increased to 14,000 men, advanced, by forced marches, to Gloucester (August 24th), which the King had been closely blockading for the last fortnight. This city was the only place remaining to the parliament in the west; and the possession of it by the Royalists, would have enabled their south-western, northern, and eastern forces to communicate. But the sound of Essex's cannon broke upon them with surprise; they had been entirely ignorant of his approach, so rapidly had he marched; and they at once retired from the siege, determined to dispute his return to London. After relieving Gloucester, however, he turned aside to Tewkesbury, and made demonstrations as if he would advance to Worcester. By a forced march he then turned towards Cirencester, which fell into his hands; and, after sustaining a severe attack from Rupert's horse near Hungerford, he arrived at Newbury, where, to his surprise, he found the enemy occupying the town and neighbouring heights, and the road to London barred against him. An action was now unavoidable; and next morning (September 20th), at daybreak, Essex, at the head of his advanced guard, took the principal height; two regiments of the royal horse then attacked the London trainbands, and the battle became general. Essex, Skippon, Stapleton, Merrick, and all the Parliamentary officers, exposed themselves on foot like common soldiers; and the Royalists also charged with their accustomed daring and impetuous dash. The battle raged all day, and both armies passed the night in the field; but in the morning, the King allowed Essex to march through Newbury, and having ordered Prince Rupert to annoy the rear, retired with his infantry to Oxford.* Four earls in the royal army fell in this battle, the young Lord Sunderland and the accomplished Earl of Carnarvon being among them.

But the greatest loss which the Royalists deplored was that of Lord Falkland, perhaps the truest patriot of that age. He had no business in the battle, but had volunteered to serve, notwithstanding the remonstrances of his friends. For some months past he had eagerly sought danger; the sufferings of the people, the greater evils he foresaw, the anxiety of his mind, the ruin of his hopes, and the dread he felt of either party succeeding, plunged him into bitter despondency, and entirely altered his character. Formerly, he was amiable and kind; brilliant, gay, and imaginative; simple and upright in his ways, and tasteful and elegant in his habits. But since the war had broken out, he had

Death of
Lord
Falkland.

* Forster's Lives, VI., 111-116.

become fixed and sombre in his manner ; had grown careless in his attire, and would sit amongst his friends, with his head buried in his hands, crying "Peace! Peace!" Only when a prospect of negotiations offered did he resume his former cheerfulness. He dressed with unwonted care on the morning of the battle, saying they should not find his body in foul linen. "I am weary of the times," he continued ; "I foresee much misery to my country ; but I believe I shall be out of it before night." He fell in the very beginning of the battle ; his friends deeply mourned his fate ; the Cavaliers were indifferent ; and Charles felt himself more at ease in his council.*

In the following month, Cromwell, Fairfax, and Manchester performed many signal acts of service in Lincolnshire, and the neighbouring counties. The forces of these three leaders effected a junction at Boston on the 9th of October, and, on the 12th, they defeated a numerous body of Cavaliers at Waisby Field, near Horncastle, with such decided success, that Charles, when he heard of it, is reported to have said, "I would that some would do me the good fortune to bring Cromwell to me alive or dead."†

62. The Solemn League and Covenant. Vane and his fellow commissioners arrived at Edinburgh on the 9th of August, where they were received by the kirk and the parliament with great honours. The Scots, however, with their natural wariness, suspected the sincerity of the English parliament in their professed devotion to the kirk ; and they resolved that, in any compact which should be concluded, the covenant should be adopted upon oath. Accordingly, when the negotiations began, Henderson, the moderator of the general assembly, submitted this covenant to the consideration of the parliamentary commissioners.

Its terms bound the two nations to prosecute incendiaries and malignants ; to preserve the King's life and authority in defence of the true religion and liberties of both kingdoms ; to extirpate popery, prelacy, heresy, schism, and profaneness ; and to establish a conformity of doctrine, discipline, and church government throughout the island.

The last clause alarmed the commissioners, for, although the majority of the Parliamentarians were inclined to Presbyterianism, yet there was a numerous and active party amongst them fast rising into importance, who considered all ecclesiastical authority an invasion of the rights of conscience, and who were, therefore,

• Clarendon's Rebellion, Book VII. ; Guizot's Eng. Rev., 205. † Forster's Lives, VI., 122.

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resolutely opposed to the forced establishment of any ecclesiastical system. These were the *Independents*, the earliest and most strenuous assertors of religious toleration, and Vane was one of their foremost men. The commissioners, therefore, objected to this last clause; and, after considerable discussion, the agreement was drawn up in such a happy ambiguity of language as to suit all parties, and, through the obstinacy of Vane, it was styled “a solemn *league* and covenant,” so as to prevent its assuming the character of a purely religious compact.

In this new form, it provided that the kirk should be preserved in its existing purity, and that the church of England should be “reformed according to the Word of God,” which the Independents would interpret in their own sense, and “after the example of the best reformed churches,” among which the Scots naturally gave theirs the first place.

The league was unanimously approved of; and next day (August 18th), Scottish commissioners set out for London, where both houses, after having consulted the assembly of divines, also sanctioned it (September 18th). A week after, in the church of St. Margaret, in Westminster, all the members of parliament, comprising 228 commoners, and from 20 to 30 peers, stood uncovered, and, with hands raised to heaven, took the oath of adhesion to it, first verbally, and then in writing.

II. FROM THE CONCLUSION OF THE SCOTTISH ALLIANCE TO THE NEW MODELLING OF THE ARMY.

63. **Triumph of the Presbyterian party.** The joy of the Presbyterians was now at its height. Their chief, the Earl of Essex, had saved the parliament by his late triumphs; the Scottish army, 20,000 strong, which was to cross the borders as soon as the new year set in, promised them unfailing support, and they therefore looked forward to the acquisition of supreme power over all their opponents, when they might, at their discretion, dispose of reform and of war, and suspend either. The covenant was immediately imposed upon all civil and military officers, and upon all the beneficed clergy. The assembly of divines was ordered to prepare a plan of ecclesiastical government; four Scottish ministers were called upon to aid them; and committees were appointed to investigate, in each country, the conduct and doctrine of the clergy.

Nearly 2,000 beneficed clergymen were ejected from their livings ;* many who had hitherto co-operated with the Presbyterians, as the Anabaptists, the Brownists, the Independents, found themselves suddenly subjected to persecution and imprisonment, and all who refused to subscribe the covenant were deprived of holding any office, and of exercising the simplest rights of citizenship. The parliament, from the beginning of the war, had ordered all theatres to be closed, but they now extended the prohibition to all the popular games which had been practised for ages on the Sundays and holidays throughout the kingdom, and if even children infringed the order by any natural ebullition of infantine mirth, their parents were fined for each offence. While the Presbyterians thus manifested a remorseless and indiscriminate bigotry in matters of religion, they displayed an ardent zeal for war. Holles, Glynn, Maynard, and others of their leaders who had shortly before meditated retirement from public life, or had been advocates of peace, now excited the people to greater efforts ; their party had never appeared so energetic, or so certain of the permanent possession of power. But their downfall was nigh at hand. From the very first they had been agitated by contrary feelings.

Deprivation of the established clergy. In the church they sought a reform ardently and sincerely, and the Presbyterian system they considered as the only legitimate church government which could exist by divine right, or the laws of Christ. Hence they insisted upon the establishment of this system without any limitation, and at whatever price. In politics, on the contrary, their ideas were vague and their intentions temperate. They sought not the destruction of the monarchy, though they fought against the King ; they were not opposed to a limited prerogative, nor to the existence of an aristocracy. Having no men of genius or ability amongst their ranks who could act as leaders in a crisis like the present, they had been compelled to ally themselves with the political reformers or Constitutionals, who, being inclined to a moderate Episcopacy, were opposed to their views of religious revolution. Their union with this party, the leaders of which were amongst the greatest men of the age, comprehending such men as Pym, Hampden, Rudyard, St. John, and Hyde and Falkland until the war broke out, was therefore only complete on the question of political reform. But at the end of 1643 all legitimate political reform was accomplished ; abuses no longer existed, and there was consequently

Austerity of the Presbyterian rule.

Causes of its decline.

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no further work for the two parties to transact in union. The religious revolution, however, had scarcely begun. The crisis had therefore arrived when the internal defects of the dominant party, and the incoherence of its composition, principles, and designs, must inevitably become manifest. Every day revealed that it was obliged to adopt contrary measures. What it sought in the church it rejected in the state; while it invoked democratic principles and passions against the bishops, it summoned monarchical and aristocratical maxims and influences against rising republicanism; while it preached up innovations, it cursed innovators; it persecuted the bishops in the name of liberty, at the same time that it punished the Independents in the name of power; and while it arrogated to itself the privilege of insurrection and tyranny, it declaimed against both. Just at the crisis, also, of its fortunes, it was deprived of the advice and leadership of those great political reformers who had so powerfully served it, while at the same time the lords, to whose interests it was not opposed, daily left their seats, and retreated either into private life or to the court at Oxford. Another circumstance which hastened on its ruin, was the responsibility which attached to it for all the evils and shortcomings of the last three years during which it had been in the ascendant, and especially for the failures which the parliament had experienced since the beginning of the war. Thus there only wanted an opportunity for new rulers with new principles to seize the direction of affairs.*

64. Rise of the Independents. Long before the commencement of the troubles, when the Presbyterians only began to betray their intention of imposing upon the national church a republican constitution, and of maintaining it by the force of authority, the Independents, Brownists, and Anabaptists, openly demanded wh a national church should exist at all, and by what title any power had a right to bend Christian consciences beneath the yoke of Uniformity. Every congregation of the faithful, they said, was a true church, over which no other church could justly exercise authority; and that it had a right to choose its own ministers, regulate its own worship, and govern itself by its own laws. The principle of the liberty of conscience, thus proclaimed, was treated as a crime, or as madness, and Episcopalians and Presbyterians alike proscribed it. On the 11th of June, 1643, parliament issued an ordinance for the purpose of putting down the publications which the Independents were

The Inde-
pendents
first
proclaimed
liberty of
conscience.

* Guizot's Eng. Rev., 210-213.

constantly sending forth, and the terms of it went so far, as to abolish the liberty of the press, which had hitherto been tolerated, and to subject to a strict censorship all publications whatever. But the new sects evaded and defied these restrictions; every day they became more numerous; and in addition to those already mentioned, there arose Antipædobaptists, Quakers, Antinomians,

New sects. Fifth-monarchy men, Muggletonians, and many others, enthusiasts, philosophers, and freethinkers, all opposed to the malignant party, which vainly strived to stem the torrent of the revolution. Henceforth all questions took a new turn. While the political reformers directed their efforts to the reformation of the laws, the Presbyterians to the establishment of the kirk, and both respected tradition and custom, the sectaries disregarded

Their principles. tradition, and set no bounds to their thoughts, or limits to their aspirations; the philosophers sought truth, the enthusiasts the Lord, the freethinkers mere success. The Presbyterians, it was said, proscribed royalty and aristocracy in the church; why did they retain them in the state? The political reformers had said, that if the King and Lords refused to assent to a beneficial measure, the will of the Commons was sufficient to make it a law; why, then, did they not openly avow this doctrine, and declare the sovereignty of the people to be the basis of government? By what right did the clergy exercise authority? Every faithful man was a minister for those around him, whom he could influence by persuasion, preaching, teaching, and prayer, and the Lord alone chose and consecrated his saints, and intrusted them with his mission, like the prophets of old. Thus arose the Independents, who, far less numerous and far less deeply rooted in the national soil than the Presbyterians, were destined to obtain ascendancy over them, because they professed more systematic and definite principles. It was one of those glorious crises when men are seized with the sublime ambition of having truth on their side, and are able to prove it. The Presbyterians were unable to

Why the Presbyterians were unable to resist the Independents. meet this test, because they depended upon the authority of traditions and laws, and not upon principles, and they therefore could not repel the arguments of their rivals by mere reason. There was no contradiction between the religious and political systems of the Independents; like the sect from which they took their name, they held liberty of conscience to be a fundamental maxim, and the immensity of the reforms they proposed, the vast uncertainty of their designs, allowed men of various objects to range beneath their banners.

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Lawyers and Erastians, as Whitelocke and Selden, joined them, in the hope of depriving the ecclesiastics, their rivals, of all jurisdiction and power. Liberal publicists contemplated, by their aid, the formation of a new, clear, simple plan of legislation, which should deprive the lawyers of their enormous profits, and immoderate power; Harrington could dream among them of a society of sages; Algernon Sidney of the liberty of Sparta, or of republican Rome; Lilburne of the restoration of the old Saxon laws; Harrison and the Millenarians of the coming of Christ; even Henry Marten and Peter Wentworth, the men of no principles, were tolerated because of their daring; and all factions, whether republican or levellers, reasoners or visionaries, fanatics or men of ambition, were admitted to the ranks of this formidable party. Milton lent to its aid the astonishing force of his genius, and in his immortal "*Areopagitica*," anticipated, in words of fire, its acquisition of power, and the fall of the Presbyterians. Vane guided it by his profound statesmanship, and Cromwell, ere long, placed an invincible army at its command. Such was the force now fast arraying itself against the Presbyterians.*

Men of all
shades of
opinion
joined the
Independents.

65. Dissensions at Oxford: Charles's Correspondence with the Irish Rebels. These dissensions at London were publicly known at Oxford, where, indeed, everything that was done in parliament, or by the Committee of Safety, was regularly reported. But unfortunately for the King, discord was as great in his court, as it was in the capital; and it was also more fatal: for in London it precipitated, while in Oxford it paralysed, the progress of things. The Cavaliers caballed and intrigued against each other; each blamed the other for the late disastrous enterprise against Gloucester; the council complained of the disorderly conduct of the army; the army insolently defied the council; Prince Rupert was formally commissioned by the King to obey no orders, even on the field of battle, but those which Charles himself gave, which excited the jealousy of all the great lords, while they were disgusted with the prince's arrogant and uncouth behaviour. Hyde and the council, again, were continually foiled by the Queen, so that no project was ever carried out with perfect unanimity.

In the midst of these embarrassments, Charles heard with alarm of the newly-formed alliance between the two kingdoms. He immediately ordered the Duke of Hamilton to make the most liberal promises to the Scots to deter them from aiding the

* Guizot's Eng. Rev., 213-217; Forster's Lives, IV., 87-89.

parliament; but the hollowness and insincerity of these offers were soon made manifest. The Scottish troops quartered in Ulster had arrested the Earl of Antrim, and had found upon his person documents which proved that he and Montrose had agreed, during their late interview with the Queen at York, to transport into Scotland an army of Irish Roman Catholics, which, in concert with a Highland force, should make a diversion in favour of the King, and thus prevent the march of the Scottish army across the border. Antrim's papers further revealed, that the King was in constant correspondence with the Irish rebels. The insurrection in Ireland had now for a long time ceased to present those hideous excesses which had marked its commencement. A sovereign council, established at Kilkenny (November 14th, 1642),
The council of Kilkenny. governed it with prudence and regularity, and an oath had been taken in imitation of the Scots, for the protection and liberation of the Catholic worship, and the lawful immunities and liberties of the island, and for the defence of the sovereign and his authority. This supreme council immediately placed itself in communication with the King, and assured him of their loyalty. Charles listened to their assurances, and on the 15th of September concluded a year's truce with them, the insurgents agreeing to pay £30,000 in money and provisions for the use of the royal army. The Earl of Ormond, the royal commander-in-chief in Ireland, then sent over to Charles ten regiments, five of which landed at Bristol, and five at Chester.

66. The "Antic" or "Mongrel" Parliament of Oxford.* These transactions with the Irish rebels excited against Charles the hatred of many who had hitherto shown respect to his name, because of the duplicity which it betrayed, and of the favour he was thus showing to papists. When he was informed of this change of feeling, he was indignant that any one should thus judge him by his acts and not by his words; and sending for Hyde, his chancellor, he declared his intention of again issuing a proclamation depriving "those rebels at Westminster of the name and honour of a parliament." But that wise statesman dissuaded him from his purpose, questioning his right to do so after the act which he had passed. Instead of this, however, Charles soon after summoned both houses to meet him at Oxford on the 22nd of January, 1644, on which day 43 peers and 118 commoners assembled obedient to his summons. Their first measure was a letter directed to Essex, requesting him to convey

* The parliament at London called this assembly the *antic* (for anti) parliament.

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to those "by whom he was trusted" their earnest desire for negotiations. But Essex refused to act as their mediator, on which Charles himself addressed the parliament at Westminster, and requested negotiations in the name of the parliament assembled at Oxford (March 3rd). But the two houses considered this message as an insult, because it implied that they were not a full and free convention of parliament. Mutual recriminations followed, and the Oxford Parliament put an end to all further correspondence by passing a resolution declaring the members at Westminster traitors to the King and kingdom. After voting a few taxes and loans, this extraordinary assembly was dissolved (April 16th). It had scarcely broken up when Charles addressed a letter to the Queen, in which he said he was glad he had at last got "rid of this mongrel parliament, the haunt of cowardly and seditious motions."*

The members at Westminster declared traitors.

67. Parliamentary Victories in the Beginning of the Campaign.

1644. Both parties now prepared for another campaign with additional exasperation of mind, and a keener desire of revenge. This campaign opened with unfavourable auspices for the King. The five Irish regiments which had landed at Chester (November, 1643), after six weeks of success, were defeated, and almost entirely cut to pieces, by Sir Thomas Fairfax, under the walls of Nantwich (January 25th, 1644). In the north, the Scots, under the command of the Earl of Leven, had crossed the border (January 16th), and, during the absence of Lord Newcastle, who set forward to meet them, Fairfax again defeated a body of Royalists at Selby (April 11th), which compelled Newcastle to fall back upon York (April 19th), quickly pursued by the Scots, who effected a junction with Fairfax, and laid siege to the city. In the eastern counties, a new army of 14,000 men was forming, under Manchester and Cromwell; and in the south, Sir William Waller gained an unexpected victory over Sir Ralph Hopton near Alresford, in Hampshire (March 29th). A few unimportant advantages in Nottinghamshire and Lancashire, obtained by Prince Rupert, among which were, the defeat of the parliamentary army at Newark, the capture of Stockport, Bolton, and Liverpool, and the raising of the siege of Latham House, which had been gallantly defended for eighteen months by Charlotte de la Tremouille, the brave Countess of Derby, were all that Charles could boast of in compensation for these numerous losses; while insubordination

Victories of Fairfax at Nantwich and Selby.

Waller defeats Hopton at Alresford.

* Guizot, 228-9; Lingard, X., 105-6.

and disorder daily increased in the Royalist camp. On the contrary, the measures of the parliament were more energetic than ever; a new committee for both kingdoms was appointed, with almost absolute power, in spite of the opposition of the lords (February 16th); money was plentiful; families denied themselves of one meal a week, and gave the value of it to parliament; this offering was soon converted into a compulsory tax; and excise duties, till then unknown in England, were imposed upon wine, cider, beer, tobacco, and many other commodities (May and July, 1644), while a committee for sequestrating the estates of the Royalists was in full activity. With the aid of these resources, the parliament now supported five great armies; 20,000 men, under Waller and Essex, for the midland and western counties; 14,000, under Lord Manchester, with Cromwell as second in command, for the eastern counties; and 6,000, under Fairfax and his father, for co-operating with the Scots, 21,000 strong, in the north. These forces amounted to more than 60,000 men, against whom Charles could only muster 10,000 at Oxford, 14,000 under Newcastle, besides the Irish auxiliaries, and the garrisons and flying bands which supplied him at his need.

Increased
activity
of the
Commons

Imposition
of excise.

Five par-
liamentary
armies.

68. Battle of Marston Moor. The great battle of the campaign was generally expected to come off between the two armies which lay in the vicinity of Oxford and London, and both Waller and Essex laid siege to Oxford with the hope of capturing the King. But Charles, by one of those skilful manœuvres which he frequently made during the war, passed through the hostile armies with 7,000 men, and reached Worcester in safety (June 6th). Waller was ordered to pursue him; but he was no match for Charles in generalship, and in a few days the latter was again in Oxford; and after defeating his pursuer at Cropredy Bridge, in Buckinghamshire (June 29th), he set off in pursuit of Essex, who had been ordered to march into Dorsetshire.

Charles
defeats
Waller at
Cropredy
Bridge.

During these rapid movements, Charles had received despatches from York, informing him of the dangerous position of that city. He immediately ordered Prince Rupert, who was then in Lancashire, to march at once to its relief. The prince obeyed, and on the 30th of June, having crossed the Ouse over Thornton Bridge, at Boroughbridge, relieved the beleaguered city on the north side, and safely joined his army of 20,000 men with the forces under Newcastle. The besiegers, who had

Rupert
relieves
York.

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invested the city on the western side, broke up their works as he approached, and fell back, first to Marston, and then to Tadcaster, in order to prevent Rupert's apprehended irruption into the eastern counties. The next day (July 2nd), in opposition to the advice of Newcastle, Rupert left the city, crossed the river at Poppleton, by a bridge of boats which he had taken from the enemy the night before, and came up with the parliamentary army on Marston Moor. Discord had been strongly working in both camps. The Scots were for retreating, the English for fighting: Newcastle wished to wait till an expected reinforcement of 3,000 men had arrived, and till the dissensions of the enemy had ripened into greater bitterness; Rupert was resolved to attack, saying the King's orders admitted of no delay.

Both armies, according to the military tactics of the age, were drawn up in line; the infantry in three divisions, with strong bodies of cavalry on each flank. The royal army spread themselves along the moor, for about two miles in length; Position of the royal army. Rupert's forces forming on the right, and the Marquis of Newcastle's on the left. The left wing, which rested on some broken ground covered with gorse, consisted of 4,000 horse, with reserves under General Goring, Sir Charles Lucas, and Sir John Urrie, who had already changed sides twice during the war. The right was under Rupert himself, and consisted of 5,000 picked horse, besides some reserves of foot. The centre or main battle, composed of foot, was under Lieutenant-General King; Newcastle's famous "Whitecoats" were on the left of this body, and the Blue regiment of foot was in reserve. Twenty-five pieces of artillery were ranged along the whole line.

On the Parliament side the right wing, consisting of Lord Fairfax's army, composed of 5,000 horse under Sir Thomas Fairfax, three regiments of Scotch horse, and Fairfax's English foot—the men of Yorkshire and the northern counties—with some Scotch foot, rested on the village of Long Marston, and was protected by broken ground, intrenched, as it were, by lanes and hedges. The left wing occupied the village of Tockwith, a mile and a half from Marston, and consisted of the Earl of Manchester's army from the Associated Counties, under the general command of Lieutenant-General Cromwell. It was composed of three brigades of foot, under Major-General Crawford, and of 5,000 horse under Cromwell's immediate command, backed by some Scotch horse under David Leslie, and flanked on the right by a body of dragoons. The centre was occupied by the

Of the Parliamentary army.

Earl of Leven's Scotch foot, under his lieutenant-general, John Baillie, supported by the Earl of Manchester's English foot in reserve. The whole of the Parliamentary army was strongly posted on a rising ground, which commanded a full view of the enemy's movements on the moor in their front. A broad and deep ditch separated the hostile armies.

By two o'clock in the afternoon the two armies were thus drawn up in battle array; the numbers on both sides being nearly equal—about 24,000 men. About five o'clock there was a general silence, each army expecting its opponents to begin the charge. This continued till seven; when a movement in Cromwell's forces having caused Rupert's musketeers to fire upon them, a general engagement was brought on, the Royalists rushing on without bands and scarfs, with their cry, "God and the King;" and their opponents, with white paper or handkerchiefs in their hats, crying "God with us." After a sharp combat, Rupert's cavalry gave way, and fled along by Wilstrop-wood-side "as fast and as thick as could be;" and they did not draw bridle till they were within the walls of York. The infantry, which stood next them, were likewise borne down, and put to flight. But in every other part of the field the result was very different. Fairfax's horse, before they could get at the enemy, had to ride through a narrow lane, now called Moor-lane, the hedges on each side being lined by the royal musketeers, who did great execution among them. As they rode out of the lane by threes and fours, the Royalists charged them in a body; and, although Sir Thomas Fairfax broke through that body of the enemy which he charged, and pursued them a good way towards York, the rest of his wing was defeated; and his foot was thrown into complete disorder by the furious assaults of Newcastle's Whitecoats. The royal cavalry on the right, thus victorious, then suddenly turned upon the flank of the main body, whose front being at the same time pressed by Newcastle and King, the whole centre gave way, and Leven, conceiving the battle utterly lost, fled from the field, never drawing bridle till he arrived at Leeds. Others of the fugitives made the best of their way to Hull, Lincoln, Halifax, and Wakefield; and intelligence was everywhere spread that the Royalists had gained the victory. At this crisis of the fight, Cromwell, having cleared the field on his side, and taken all Rupert's artillery and ammunition, came sweeping round to that portion of the ground where formerly stood the Royalist left. He immediately charged up the hill, against the victorious cavalry of

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the enemy, and carried everything before him till he came to the Whitecoats, who obstinately maintained their position; but Manchester's infantry coming up, and their flank being attacked by some Scottish horse, they were, every man of them, cut down in rank and file as they fought. This decided the fate of the battle; and the Royalists, hitherto victorious, were fairly swept off the field. Such was the great battle of Marston Moor, which extinguished the power of Charles in the northern counties. During the two hours it continued, the Royalists lost 3,000 slain, and 1,600 prisoners, and the Parliament about 2,000 slain. Rupert and Newcastle, who had long cherished a deeply-rooted antipathy to each other, parted the next morning; the prince returned to his former command in the western counties, the earl embarked at Scarbro' and retired to the continent. Newcastle retires to the continent. York, abandoned to its fate, capitulated on the 16th of July; and the combined armies then separated. Manchester and Cromwell returned to Nottinghamshire; Fairfax remained in York; and the Scots, under Leven, withdrew to Newcastle, which they reduced after a short siege.*

69. Capitulation of Essex's Army. The Second Battle of Newbury. In the meantime Essex pursued the plan he had formed of dissolving the association of Royalists in Somersetshire, Devon, and Cornwall. He relieved Lyme, which had long been besieged by Prince Maurice, and then advanced to Exeter, whither the Queen had fled when Oxford was besieged. At his approach she fled to Falmouth, put to sea with a squadron of Flemish vessels, and, escaping the keen pursuit of the English fleet from Torbay, reached in safety the harbour of Brest (July 15th). Regardless of the Royalists, whom the King was now assembling in his rear, Essex pursued his march into Cornwall, urged on by his officers, many of whom had large estates in that county, of which the rents were long in arrear.† At Lestwithiel he received two letters, one from the King, soliciting him to unite his forces with the royal army, and then compel the parliament to submit to a peace which should secure the rights and liberties both of the sovereign and the people; and the other from the chief Cavalier officers, pledging themselves to draw the sword against the King if he swerved from the principles avowed in his Essex tempted to desert the parliament.

* The above account of the battle of Marston Moor is taken from Sanford's "Studies and Illustrations of the Great Rebellion," and is verified by Cromwell's Letters. The accounts generally given, *e.g.*, by Lingard, and Forster in his Lives, are incorrect.

† Guizot's Eng. Rev., 239.

letter. But Essex, on this, as on all occasions, was proof against all temptations; he sent both letters to the parliament, coldly replying that it was his business to fight, that of the parliament to negotiate (August 6th). His position, however, was now most critical. He was cut off from all intercourse with London, and enclosed between the sea and the combined forces of the King, Prince Maurice, and Sir Richard Grenville. Waller purposely delayed to march to his relief, while the Independent leaders—Vane, St. John, Ireton, and Cromwell, proud of the victory they had gained at Marston Moor, were delighted at the ruin which was certain to fall upon the great Presbyterian general. In this emergency Essex escaped from Fowey by sea to Portsmouth; the

He escapes
from his
army.

cavalry had already burst through the enemy's posts and escaped; but the infantry and artillery, under Skippon, capitulated (September 1st) upon somewhat favourable conditions. This success elevated the hopes of the King, who at once announced his intention of marching to London, and compelling the parliament to accept peace. But the energies of his opponents were not at all exhausted. Essex, Waller, and Manchester soon united their forces, and while the Royalists

But joins
Waller at
Manchester
and fights at
Newbury.

marched through Whitechurch to Newbury, a more numerous army moved in a parallel direction through Basingstoke to Reading. On the 27th of October, they encountered each other again at Newbury, and after a long and obstinate battle, which was fought at Shaw on the eastern, and at Speen on the western side of the town, the King, fearing to be surrounded, assembled his troops next day under the protection of Donnington Castle, and marched towards Wallingford, unopposed by the enemy, who were in full view of his movement. In a few days he returned with a more numerous force, and safely conveyed all his artillery and ammunition from Donnington Castle to Wallingford, and thence to Oxford, where he took up his winter quarters (November).

Thus disastrously closed the campaign in which the Parliamentarians had won the great victory of Marston Moor. The army of Essex and Manchester went into winter cantonments about Reading; Cromwell, bent upon resolute changes, repaired to London, where mutual charges of cowardice, or disaffection, or incapacity, were made and retorted by the leaders of the two factions; and the dissensions between them grew so bitter, that unless some great change took place, it was evident the King would, ere long, triumph over both.

Dissensions
among the
Parliamentary
commanders.

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70. **Enactment of the Self-Denying Ordinance.** The chief quarrels in the parliamentary camp had originated in the rivalry between Essex and Waller; but those in the army of Manchester were produced by religious jealousy. Manchester was a Presbyterian, but gentle and accommodating; while Cromwell and those under his immediate command were Independents. The indulgence which his men enjoyed scandalized and alarmed the orthodoxy of the Scots commissioners; who were further annoyed by the ridicule which the Independents threw upon the conduct of their troops at Marston Moor. But the most serious quarrel was that between Cromwell and Manchester. The former openly accused the earl as the cause of the failure at Newbury, charging him with disaffection to the parliament, and respect for the King's power and person. The earl repelled the imputation with warmth, vindicated his conduct, and retorted on his accuser charges of insubordination, falsehood, and treachery; saying that on the day of battle neither he nor his regiment appeared at the post assigned them (November). The Presbyterians were greatly excited; for a long time they had suspected Cromwell and his friends of a design to obtain the command of the army, to abolish the House of Lords, divide the House of Commons, dissolve the covenant, and erect a new government upon republican and independent principles. To defeat this project, Holles, Stapleton, Glynn, Merrick, and the chief Presbyterian leaders, met at Essex's house, where they proposed to denounce Cromwell as an incendiary, and to demand his punishment according to the late treaty. But Whitelocke and Maynard, who were present, replied that the proofs they had were insufficient to sustain the charge; and it was then resolved that Manchester should accuse him before the Lords of having expressed a wish to reduce the peers to the rank of private gentlemen. This charge failed also, and it was then found expedient to leave the dreaded lieutenant-general unmolested.

Quarrel
between
Cromwell
and
Manchester

The
Presbyterians
intrigue
against
Cromwell.

The Presbyterians, foreseeing their fate, had, during this, sought another remedy, and sent Lord Denbigh and Whitelocke to Oxford to commence negotiations for peace. After some exchanges of preliminaries, it was at last agreed (December and January), that commissioners from the parliaments of both kingdoms and the King should meet at Uxbridge, to discuss the conditions of a treaty.

But while they thus negotiated, their opponents prepared for

war. On the 9th of December, when the commissioners had assembled to take into consideration the sufferings of the kingdom, and to devise some remedy for them, Cromwell rose and said that the blame of the continuance of the war rested with the two houses, who could not be expected to bring it to a speedy termination, as long as so many of their members derived wealth and authority from their military commands. His real object was plain to every one; yet the motion which an obscure member made in support of his speech, "that no member of either house should, during the war, enjoy or execute any office or command, civil or military, and that an ordinance should be brought in to that effect," was concurred in by the majority (although Cromwell's party were the minority), and when an exemption was suggested in favour of Essex, it was lost on a division, by 27 voices, in a house of 193 members (December). Two days after this, when the ordinance was brought forward, the debate was long and violent, and was renewed four times in one week. It was immediately rejected by the Lords (December 21st), but under such conditions that another ordinance was brought forward and passed by both houses (April, 1645).

The first
Self-denying
Ordinance.

This second *self-denying ordinance*, as it was called, differed from the above, and enacted that every member of parliament was thereby discharged from whatever office, civil or military, that had been conferred by the authority of parliament, after the expiration of forty days. The former edict was prospective, and had more of the character of a law; *this* prescribed something immediately to be done, and no more; it left the general principle as before, and did not prevent the discharged officers from recovering their offices again.*

The second
Self-denying
Ordinance.

By this enactment the army was "new modelled"; and was made to consist of 7,600 horse and 14,400 foot, under the command of Sir Thomas Fairfax as lord-general, and Skippon as major-general. Fairfax was invested with the power of nominating all his officers, and with the execution of martial law. No mention was made in his commission of the King's authority, or of the preservation of his person. The post of lieutenant-general was left vacant; no doubt, to be filled up by the appointment of Cromwell.

71. Ecclesiastical Occurrences since the Beginning of the War. It will be convenient for us now to notice the ecclesiastical proceedings of the two houses at Westminster. The patriot chiefs were not guilty of shedding the blood of their religious

* Godwin's Hist. of the Commonwealth, II., 41.

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opponents, except upon political grounds. They directed the hatred of their followers against the Roman Catholics as the natural enemies of freedom; and the parliament devised an oath of abjuration, by which all the tenets of the Church of Rome were renounced, and all who refused to take it were fined to the extent of two-thirds of their property.

Oath of
abjuration
against
Rome.

The great object, however, of the Presbyterians, was the destruction of the Episcopal establishment, and for this purpose the synod of divines before mentioned was assembled at Westminster, June, 1643. The Presbyterians formed by far the majority in this assembly; but the few Independents who were in it were men of energy and talents, veteran disputants, eager, fearless, and persevering. These two parties watched each other with jealousy. On such questions as the appointment of fast days, the suppression of public and scandalous sins, the prohibition of priestly garments, the removal of organs from churches, and the mutilation or destruction of monuments deemed superstitious or idolatrous, they generally agreed; but when they came to church government, they fought obstinately and fiercely. For more than a year the perseverance of the Independents prevented the synod from doing anything; at the same time that their associate Cromwell obtained from the Commons an order for referring a plea for the indulgence of tender consciences to a committee, they brought in a like motion to the synod, and the controversy which thence ensued lasted for some time. At last, on the 3rd of January, 1645, the Prayer Book was abolished, and a book entitled "Directions for Public Worship," drawn up, regulating the order of the service, the administration of the sacraments, the ceremony of marriage, the visitation of the sick, and the burial of the dead. The Scots would have introduced the practice of the kirk on all these subjects, but the English objected; and accordingly, the form of a liturgy was carefully avoided, and much of the matter as well as the manner of divine service was left to the talents or the inspiration of the minister. The Directory was forthwith sanctioned by parliament, and ordered to be observed in all churches in both kingdoms.

The synod
of divines.

The
Directory
substituted
for the
Prayer Book.

A week after this (January 10th), Archbishop Laud, who had been four years in the Tower, was executed at the age of seventy-two. His friends had begun to cherish the hope that, amidst the din of arms, he might be forgotten, and suffered to descend peaceably into the grave. But unfortunately, the rectory of

Chartham, in Kent, became vacant, and as he was the patron, the Lords ordered him to appoint one person, the King another (February, 1643). He hesitated to obey either of the commands, on which the Lords sent a message to the Commons to expedite his trial. A committee was immediately appointed, and Prynne, who thirsted for the blood of his former persecutor, was entrusted with the task of collecting evidence. At the end of six months specific articles were exhibited against him, relating partly to those papistical innovations which had nothing of a political character about them; partly to the violent proceedings in the Star Chamber and High Commission Court, wherein Laud was very prominent as a councillor, but certainly without any greater legal responsibility than his colleagues. The Lords, repenting of their rash message, intimated that these charges contained no legal treason; but when the Commons changed their impeachment into an ordinance for the archbishop's execution, they complained. The execution of this aged prelate was the most unjustifiable act committed by the zealots, and one of the greatest reproaches of the Long Parliament. Laud had amply merited punishment for his tyrannical abuse of power, yet there was not the slightest pretence of political necessity for his execution, and in this respect, although he was condemned on the same grounds as Strafford, his punishment was unjustifiable.*

72. *Negotiations at Uxbridge.* On the 30th of January, 1645, the commissioners of the King and the parliament began their negotiations at Uxbridge. The chief royal commissioners were, Hyde, Culpeper, Nicholas, Southampton, Capel, and Palmer, nearly all of whom were friends of peace. Among the parliamentary commissioners, Vane, St. John, Prideaux, and the Independents, alone, entertained other views. The negotiations were to last twenty days; the subjects for especial consideration, were, *religion, the militia, and Ireland*. Each point was to be discussed in rotation for three days, until the time was expired. The parliamentary commissioners demanded that Episcopacy should be abolished, and the Directory substituted for the Prayer Book; that the command of the army and navy should be vested in the two houses; and that the cessation of arms lately concluded with the Irish rebels, should be immediately broken, and hostilities resumed. In the discussions which ensued upon these points, it soon became evident that the difficulties in the way of peace were insurmountable: the Presbyterians insisted upon the establishment

Demands
of the
parliament.

* Hallam, I., 585-6.

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of the kirk; the politicians upon the command of the militia; the Independents upon liberty of conscience; while Charles had promised the Queen to conclude nothing without her consent, and only wished to gain time. Desperate at seeing the negotiations end in nothing but incessant bitterness, Hyde, Southampton, and the friends of peace, concerted a final effort, and endeavoured to obtain from the King some concessions. He at last yielded so far as to give up the command of the militia for some years to commissioners who should be named, half by the parliament, and half by himself. But during the night he received a letter from Montrose, who had been achieving brilliant victories on a small scale, in Scotland, informing him that he had signally defeated Argyle at Inverlochy, in Lochaber, on the 2nd of February, and that as the whole north of Scotland was at his feet, he should immediately march to the King's relief. When Southampton went, therefore, next morning to Charles, for final instructions, to his astonishment, the King withdrew his promised concession; the conferences was instantly broken off, and the sword was again appealed to.*

Charles suddenly breaks off the negotiations.

III. FROM THE NEW MODELLING OF THE ARMY TO THE KING'S SURRENDER.

73. **Strength and Position of the two Combatants at this time.** The prospects of the two combatants were now widely different; on the side of the Royalists, all was lowering and gloomy; on that of the Parliament, bright and cheering. The cessation in Ireland had brought the King no benefit; and the brilliant victories of Montrose in Scotland, did nothing to arrest that ruin which menaced the throne and its adherents. About one-third of England was still in the hands of the Royalists. From Oxford to the extremity of Cornwall, Charles held uninterrupted sway; North and South Wales, with the exception of the castles of Pembroke and Montgomery, acknowledged his authority; and several towns in the midland counties were held by his troops. The army was under the nominal command of the Prince of Wales, but the real command of Prince Rupert; it was, however, frittered away in a multitude of petty

Condition of the royal army.

* Guizot's Eng. Rev., 260-264.

garrisons, and was in a state of the most alarming insubordination. The generals, divided into factions, disobeyed the royal orders, and refused to serve under an adversary or a rival; the officers indulged in every kind of debauchery; the privates lived at free quarters; and the royal forces were more terrible to their friends by their licentiousness, than to their enemies by their valour.

On the other side, the army of the parliament had been remodelled, according to the Ordinance. The men who composed it belonged chiefly to the Independents, and were selected upon the plan which Cromwell had originally laid down. They were, perhaps, the most remarkable men who ever took up arms for liberty. Each individual soldier marched into battle with the sense of a glorious martyrdom in case of death, and of divine selection in case of life and triumph. One hand held the Bible, the other the sword. For them death had no terrors, and pain, suffering, or fatigue, were entirely subdued. Believing that they were in a state of grace, they never allowed themselves to do anything unworthy of the high calling with which they believed God had honoured them—they considered themselves vessels of glory, set apart for the purposes of heaven. These feelings and impulses thus being common among them, were a bond of indissoluble union. They advanced into the field chanting the psalms contained in the Scriptures, and fought, as they expressed it, with “the sword of the Lord and of Gideon.”* It is altogether impossible for us, at the present day, to form any adequate conception of the enthusiasm which thus animated these soldiers of God; but when we contrast their discipline and religious fervour, with the spirit which animated the royal army, it is easy to predict, that in the very first pitched battle, the Royalists were doomed to fall.

The great soldier of the Independent cause did not resign his commission, like Essex and Manchester; and his continuation in command, notwithstanding the Self-denying Ordinance, was caused by a succession of events, which he could not possibly have foreseen.† He had been sent with Waller to oppose the progress of the Royalists in the west; on his return, he was ordered to prevent the junction of the royal cavalry with the forces under the King, in the execution of which he defeated the Royalists at Islip Bridge, Whitney, and Bampton Bush, and took Bletchington House; and he then received a commission to protect the Associated Counties from insult. While he was

Character
of the new
modelled
army.

* Godwin's History of the Commonwealth, II., 164.

† Lingard, X., 152.

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employed in this service, the term appointed by the Ordinance for the expiration of his commission drew near, but Fairfax requested the parliament to extend the term for forty days; before they expired, the battle of Naseby had been fought, in consequence of which the Ordinance was suspended for three months in his favour, and the same indulgence was repeated as often as was necessary.

74. **The Battle of Naseby.** Charles was the first to take the field in the new campaign. He marched from Oxford with ten thousand men (May 7th), and being joined by Rupert, advanced towards Chester, the siege of which was raised as he approached. Fairfax was then on his way to relieve Taunton, which the Prince of Wales was besieging, but the parliament recalled him to lay siege to Oxford, on which the King instantly returned, and, with considerable vigour and resolution, assaulted and captured Leicester (June 1st, 1645). Alarmed for the safety of the eastern counties, Fairfax immediately raised the siege of Oxford, and being joined at Northampton by Cromwell, at the head of the cavalry, started off in pursuit of the King. On the evening of the seventh day (June 13th), his van overtook the rear of the Royalists between Daventry and Harborough. Charles, ignorant of his approach, was amusing himself with hunting; his officers and soldiers were scattered about the country plundering; part of his forces were left in garrison at Leicester, and his expected reinforcements had not come up. Fairfax and Cromwell, aware of these things, resolved to attack the next day; while the Royalists, on their part, with that careless and characteristic gallantry which never failed them in presence of the Roundheads, came to the same resolution, notwithstanding their critical position. Early next morning (June 14th), the royal army formed in line on a rising ground about a mile south of Harborough. The infantry, 25,000 strong, were commanded by Lord Astley; the right wing of horse, somewhat less numerous, was led by Rupert, and the left wing, about 1,600 strong, by Sir Marmaduke Langdale. Rupert, impatient to engage, easily prevailed upon the King to begin the attack. They found the enemy strongly posted along the ridge of a gentle eminence, with a plain about a mile in breadth in their front, separating Harborough from Naseby. The infantry, in the centre, was commanded by Fairfax and Skippon; Cromwell had the right wing of horse, and Ireton the left. The whole numbered about 36,000 men. Confident of victory, the Royalists sent forth their war cry, "Queen Mary;" the Parliamentarians, firm in their

Charles
captures
Leicester.

Position of
the two
armies.

faith, marched forward singing "God is with us." Rupert began the battle by dashing, with his accustomed impetuosity, upon Ireton's cavalry, which, after a warm conflict, gave way, leaving their brave commander wounded, and for a time a prisoner in the hands of the Cavaliers. But Rupert urged the pursuit, as usual, and in his absence allowed the victory to be won by the masterly conduct of Cromwell. That daring leader had, in the meantime, fallen with utter rout upon the left wing, sent three squadrons in pursuit, and then furiously wheeled round with the other four upon the rear and flank of the royal infantry, which had been maintaining an unequal fight during this with Fairfax and Skippon, in the centre. These chiefs had fought as common soldiers in the terrible hand-to-hand struggle which their forces had to maintain against the King in person; both were severely wounded, and Fairfax himself had captured the royal standard. Just as the royal infantry were giving way, the victorious Ironsides fell upon them. Although the King charged at the head of his guards, which he had held in reserve, nothing could save them; they threw down their arms in terror, and begged for mercy. One regiment alone maintained its ground, and scarcely a man of it survived to tell his courageous story. As a last resource, the King, who had behaved with the bravery and resolution which never deserted him in battle, placed himself at the head of the cavalry that remained, and Rupert's weary stragglers which now came creeping in. "One charge more, gentlemen," he cried, "and we recover the day." But disordered, weary, perplexed, and despondent, no one followed him; retreat was the only course left; and Charles, with the terrible conviction of his hopeless ruin, was forced from the field, and reached Leicester with about 2,000 horse.

In this fatal battle, the Royalists lost more than 3,000 men in killed and wounded, 8,000 prisoners, 9,000 stand of arms, all their artillery and baggage, and, more important than all, the King's private cabinet of letters and documents, the discovery and publication of which sealed his ruin. The majority of these papers, which were published by the parliament, under the title of "The King's Cabinet Opened," were read to the citizens of London, in Guildhall (July 3rd), and had an immense influence in silencing the friends of peace. It was clear from them that the King had never desired peace; that in his eyes no concession was definitive, no promise binding; that, in reality, he relied only on force, and still aimed at absolute power;

"The King's cabinet opened."

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that, despite protestations which he had so frequently repeated, he was negotiating with the continental princes for the introduction into England of foreign soldiers; and that, in the late negotiations at Uxbridge, although he had styled the two houses at Westminster a parliament, he had, at the same time, entered a protest against this on the minutes of the council at Oxford.*

75. The King's Proceedings immediately after the Battle of Naseby. The campaign now presented, on the part of the Royalists, little more than the last feeble struggles of an expiring party. Charles alone bore up against his misfortunes with obstinacy, and, in prolonging the war, displayed much of that indifference to the sufferings of the kingdom, and of his own adherents, which has been imputed to him. Instead of withdrawing from the kingdom, which he might easily have done, until he could renew hostilities with some promise of success, he proceeded from Leicester to Hereford; from Hereford to Raglan Castle, the seat of the Marquis of Worcester, the head of the Catholic party, and the richest nobleman in England; and thence to Cardiff, that he might more readily communicate with Prince Rupert at Bristol. Here he received melancholy intelligence daily. Leicester had surrendered almost at the first summons (July 17th); the forces under Goring, the only body of Royalists deserving the name of an army, were defeated by Fairfax, at Lampport (July 10th); Bridgewater, hitherto deemed an impregnable fortress, capitulated after a short siege; a chain of posts, extending from that town to Lyme, on the southern coasts, cut off Devonshire and Cornwall, his principal resources, from all communication with the rest of the kingdom; and, to add to his embarrassments, his three great fortresses in the north, Carlisle, Pontefract, and Scarbro', had now fallen. Under this accumulation of misfortunes, his friends, and, among them, the warlike Rupert, considering all was lost, advised him to make peace on any terms. But Charles, persuading himself that, as his cause was the cause of God, he should still prevail, looked forward to the wonderful things which the gallant Montrose was yet to achieve, and to the arrival of an imaginary army of 20,000 men from Ireland. He was soon roused from his idle dreams by the rumoured advance of the Scots to besiege Hereford. He, therefore, left Cardiff hastily, rapidly crossed the kingdom, and arrived safely at Newark (August 21st). Learning that the Scottish cavalry were pursuing him hither, and were already at Rotherham, he burst

Goring
defeated at
Lampport.

Charles
returns to
Newark
and Oxford.

* Guizot, 274-8; Forster's Lives, VI., 209.

into the Associated Counties, took the town of Huntingdon, and re-entered Oxford, not knowing what to do with the handful of troops which now remained to him. He had been here two days, when the news reached him of the victory gained by Montrose at Kilsyth, near Stirling (August 15th), by which the Lowlands were placed at the mercy of the Royalists. Glasgow and Edinburgh opened their gates to the conquerors, and the chief Scottish nobility hastened to their standard, and accepted royal commissions. This glorious news revived the King, and he immediately left Oxford, and raised the siege of Hereford, from whence he marched to the relief also of Bristol, then besieged by Fairfax. But, as he entered the gates of Raglan Castle, he was informed that that important fortress had surrendered on the 11th of September, at the first assault, although Rupert had assured him he could maintain the place for four months. The fall of this city entirely ruined his affairs in the west; and, in the bitterness of his mind, he revoked the prince's commission, and commanded him to quit the kingdom.

Rupert
surrenders
Bristol.

As a last resource, Charles again set out to join Montrose. Chester, the only port where his succours from Ireland could land, was again besieged, and he resolved to relieve it on his road. But a parliamentary force, under major-general Poyntz, watched his movements; and, while he took the more difficult route across the Welsh mountains, they marched by a better and more direct road, and surprised his rear-guard, under Sir Marmaduke Langdale, at Rounton Heath (September 24th), and utterly routed it, compelling the King to escape to Denbigh, and leave Chester to its fate. The victorious career of Montrose, however, had already come to a sudden termination, for, on the 13th of September, that remarkable leader

Battle of
Rounton
Heath.

suffered a terrible defeat at Philiphaugh, in Ettrick Forest. After the battle of Kilsyth, his Highland followers, forming the bulk of his army, had, with their usual practice, returned home to secure their booty; and he, with the remnant of his force, consisting chiefly of Irishmen, about 600 strong, had repaired to the Border, to await the arrival of an English force which Charles had promised to send. In this situation his camp was surprised by David Leslie, at the head of 4,000 of the Scottish cavalry, and his men surrendering at discretion, were all massacred in cold blood, at the instigation of the Presbyterian ministers who accompanied the army. Montrose himself escaped to the Highlands, and soon afterwards retired to the continent.

Montrose
defeated at
Philip-
haugh.

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The position of the King was now utterly hopeless. The best of his councillors, Lords Capel and Culpeper, and Hyde, were with the Prince of Wales, and only Lord Digby remained, who was soon afterwards defeated at Sherburn (October), as he was proceeding to join Montrose in Scotland, and compelled to escape to Ireland. About the same time, Charles again sought an asylum at Newark; but, with his good fortune, he found that he had also lost his authority; his two nephews, Rupert and Maurice, rudely insulted him, and immediately left the town with their followers; and, fearing that the Scots would surround the place, he stole away himself, in the dead of the night, to Belvoir Castle (November 3rd), and, after many adventures, reached Oxford for the last time.

The King's
position
hopeless.

76. The King's Secret Negotiations with the Irish Rebels. During these transactions, Fairfax and Cromwell pursued the course of their successes in the west. In less than five months, fifteen places of importance, among which were Bridgewater, Bath, Sherborne, Devizes, Winchester, Basing House, Tiverton, and Monmouth, fell into their hands (July to November), and the Clubmen were everywhere suppressed. In the meantime, also, one hundred and thirty members had been elected in place of those who had gone over to the King, some of whom, as Fairfax, Ludlow, Ireton, Blake, Algernon Sydney, Hutchinson, and Fleetwood, soon became famous as daring leaders of the Independent party, and the consequence was, that parliament was less than ever inclined to peace. It was decided (August 11th) that no more commissioners should be received from the King, and that the proposals of the houses should be drawn up in the form of bills, which the King should be called upon either to adopt or reject. Nevertheless, Charles again attempted to negotiate, encouraged thereto by the open animosity which existed between the Presbyterians and Independents, and he took care that the terms he offered should be such as should estrange these parties further from each other, and, at last, bring the Presbyterians over to his side, as their only chance of safety. But the parliament persisted in refusing to hear him, and before the end of the year they became acquainted with the secret correspondence he had been actively carrying on with the Irish rebels. This discovery put an end to all negotiations whatsoever.

Hostile
attitude
of the
parliament

This secret correspondence had now been going on for nearly two years, and was known to no one but the agent employed, Lord Herbert, the eldest son of the Marquis of Worcester.

Charles agreed, on condition that the confederate Irish insurgents furnished him with 10,000 men, to grant them certain religious concessions, which were, however, to be kept secret for the present, and, if discovered, to be disavowed. Herbert, created Earl of Glamorgan, was then furnished with a commission, Secret Commission of the Earl of Glamorgan. authorising him to levy men, coin money, and employ the crown revenues for their support, and to grant any concessions which he saw fit. He was also provided with letters for the Pope, the nuncio, and several Catholic princes from whom Charles expected aid. Care was taken that the Council should be perfectly ignorant of these documents; they were not sealed in the usual manner; no names were inserted; so that, in the event of disclosure, the King should be able to deny their authenticity (March, 1645). After several adventures, Glamorgan reached Ireland, and communicated the *general* purpose of his errand to Ormond; and at Dublin both of them joined in negotiations with the Catholic deputies. Glamorgan then proceeded to Kilkenny, where the supreme council of the confederates sat, and a secret treaty was here concluded (August 25th), by which it was stipulated that the Catholics should enjoy the public exercise of their religion, and retain all churches and church revenues which were not actually in the possession of the established clergy; and that, in return, they should furnish the King with 10,000 men against a certain day. His secret treaty with the rebels. The public treaty which was to conceal this transaction now proceeded with surprising facility, and the only point in debate between the lord lieutenant and the deputies was, the demand of the latter to be relieved by act of parliament from the penalties attached to the exercise of the Catholic worship. This demand, however, alarmed Ormond, and two expedients were suggested; one, that in place of this disputed article another should be substituted, providing that any concession with respect to religion which the King might hereafter grant, should be considered as making part of the present treaty; the other, that no mention should be made of religion at all, but that the lieutenant should privately engage not to molest the Catholics in the possession of those churches which they now held, but leave the question to the decision of a free parliament. To this both parties assented (November 11th, 1645).

But before this, the secret treaty had accidentally come to the ears of the parliament. On the 17th of October, the Archbishop of Tuam, one of the rebel leaders, was slain in a skirmish under the walls of Sligo, and in his carriage

Parliament discovers it accidentally.

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were found copies of the whole negotiations. The committee of the two kingdoms betrayed no knowledge of these documents for three months ; but now, when Charles was so urgently asking for peace, they laid them before parliament, which immediately ordered their publication. This discovery utterly disconcerted the King. To save the royal reputation, Ormond at once arrested Glamorgan (January 4th, 1646), who, steadfast in his devotion, remained silent, and did not produce the secret instructions which Charles had signed. On his side, the King hastened to disown his envoy (January 21st), in a proclamation he addressed to parliament, and in his official letters to the council in Dublin. But the lord lieutenant was now in possession of the document, unknown to the parliament, by which Charles had agreed to ratify whatever Glamorgan should promise in the royal name. Charles denied all recollection of such a warrant ; but falsehood had become too common a habit with all parties either for the parliament to be deceived by the royal proclamation, or Ormond by the King's denial. Glamorgan was released in a few days, and he immediately proceeded to resume his negotiations for the transmission of the Irish army into England. Having obtained an immediate aid of 6,000 men, and a promise of a considerable reinforcement, he proceeded to Waterford, for the purpose of attempting to raise the siege of Chester. But the intelligence which there reached him completely frustrated his whole enterprise. Chester had fallen ; the royal army in Cornwall, under Lord Hopton, was dissolved, and the prince of Wales, who was with it, had escaped, first to the Scilly Isles, and then to Jersey ; and the last Royalist force, under Lord Astley, had been completely defeated at Stow, in Gloucestershire (March 22nd, 1646). Thus, there was no spot on the English coast where the Irish auxiliaries could be landed with any prospect of success. Glamorgan, therefore, disbanded them ; and the King's last hope of renewing the war was utterly destroyed.*

77. The King treats with all Parties, and finally gives himself up to the Scots. Notwithstanding these untoward discoveries, Charles continued to consume his time in unavailing negotiations with the parliament, the Scots, and the Independents. He pertinaciously solicited a personal conference at Westminster. He offered to grant full toleration to all Protestant dissenters, to yield the command of the army to the parliament for seven years,

* Lingard, X., 164-174.

His offers
to the
parliament
and to make over to them the next nomination of the lord admiral, the judges, and the officers of state. This offer was treated with silent contempt, yet Charles made another, proposing to disband his forces, dismantle his garrisons, and return to his usual residence in the vicinity of the parliament, if they, on their part, would swear to preserve his honour, person, and estate, and allow his adherents to live on their property unmolested. But even to this proposal the parliament returned no answer; and instead thereof, they gave strict orders that the King should be immediately arrested if he came into the city.

What Charles asked from the Independents was, to facilitate his access to parliament, pledging himself, that if the And to the
Independents.
presbytery were insisted upon, he would join them with all his powers in "rooting out that tyrannical government." It is not known whether Vane, to whom this correspondence was addressed, made any reply to it; but the acute leaders of the Independents were not to be deceived by any proposals that the King made, knowing very well, that in none of them were his intentions sincere. That they were right in this conviction, is proved by a letter which Charles at that very time wrote to Lord Digby, in which he stated that his only Confession
of his own
duplicity.
purpose in endeavouring to get to London, was "so to draw either the Presbyterians or Independents to side with him, for extirpating one the other, that he should be really King again."*

In the meantime, Fairfax's troops were advancing by forced marches to besiege Oxford, and although the city had become one of the strongest fortresses in the kingdom, being surrounded on three sides by the Isis and the Charwell, and on the north by impregnable works, yet Charles was altogether unable to sustain a siege, and it, therefore, behoved him to seek another asylum immediately (April, 1646). For the last two months, Montreuil, the French ambassador, had been endeavouring to secure for him a safe and honourable refuge in the Scottish camp. Rebuffed, in the first instance, by the Scottish commissioners in London, and convinced, by a journey to Edinburgh, that there was nothing to hope from the Scottish parliament, he, at last, addressed himself to some of the leaders of the army besieging Newark, and their disposition had appeared to him so favourable, that he thought himself warranted in promising the King that the Scots would receive

Negotia-
tions with
the Scottish
army.

* Forster's Lives, IV., 107.

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him as their legitimate sovereign, shelter him from danger, and co-operate with him in re-establishing peace. But the conduct of the Scottish officers, who were willing to save the King, yet not to quarrel with the parliament, soon showed Montreuil that he had been too sanguine, and he hastened to warn the King of his error. The Queen, however, wrote to Charles from Paris, exhorting him to trust to the Scots; and Montreuil, soon afterwards, assured him that, at least, he would find personal safety among them. On the 27th of April, Charles left Oxford in disguise, as the servant of Ashburnham, his valet, and, guided by one Dr. Hudson, a clergyman well acquainted with the country, passed through Henley and Brentford to Harrow, where he deliberated whether he should proceed to London or not. His heart failed him, and he turned in the direction of St. Albans, which he avoided, proceeding to Harborough, thence to Stamford, and afterwards to Downham, where he vainly sought for a vessel to convey him to Newcastle or Scotland. After thus wandering about, without any settled purpose, for nine days, he at last made up his mind as much from weariness as choice, and, on the 5th of May, was introduced by Montreuil into the head quarters of the Scots at Kelham. That evening he discovered he was a prisoner, for, when he attempted to give the password for the night to the guard, the Earl of Leven interrupted him, saying, "Pardon me, Sire, I am the oldest soldier here; your majesty will permit me to undertake that duty."*

Charles
escapes
from
Oxford in
disguise.

IV. FROM THE TERMINATION OF THE FIRST CIVIL WAR TO THE KING'S EXECUTION.

78. The Transactions at Newcastle while Charles was with the Scots. The moment that the place of the King's retreat was known, both Presbyterians and Independents united in condemning the perfidy of the Scots. Poyntz, who was quartered at Newark, received orders to watch their movements, and Fairfax was ordered to follow. The Scots, on their part anxious to avoid a rupture, and yet unwilling to surrender their prize, broke up their camp and retreated in haste to Newcastle, whence, by protestations and denials, they succeeded in allaying the ferment. Charles also contributed to the establishment of a more perfect understanding, by ordering the royalist governors who still held out, to surrender

* Guizot's Eng. Rev.. 301.

their towns (June 10th). Still, while he wrote publicly to Ormond to break off negotiations with the Irish, he secretly ordered him to continue them. Oxford, Worcester, Pendennis, and Raglan opened their gates; the last remnants of the royal army obtained honourable terms; easy compositions for the redemption of their estates were held out to the great majority of the Royalists, and no executions stained the triumph of the parliament. The first civil war in which all the parliamentary factions united against the King, was now over. They had done their work, as Lord Astley, the last royal chief who kept the field, said as he sat on a drum after his defeat at Stow, and might now go to play; unless they preferred to fall out among themselves. They preferred the latter, and the possession of the King's person was the first cause of quarrel.

The Scots, in the meantime, endeavoured to convert the King to the Presbyterian creed, and for that purpose employed Henderson, their most famous minister. But Charles proved himself a match for that veteran opponent; the controversy between them continued from the 16th of May to the 16th of July, and ended in attaching the King more firmly than ever to Episcopacy. A week after this religious discussion had terminated, the parliamentary commissioners arrived at Newcastle with proposals (July 23rd), which demanded the adoption of the covenant, the abolition of Episcopacy, surrender to the parliament for twenty years of the command of the army, navy, and militia, and the exclusion of seventy-one of the King's adherents (all of whom were named) from any amnesty, and of all his followers from public employment. These terms, bitter as they were, his friends advised him to accept, and the Scots declared that if he refused to accept the covenant, they would forbid his entrance into Scotland. On the tenth day,

the utmost limit of the time allotted for negotiations, Charles absolutely rejected the proposals, and persisted in his demand for a personal conference in London. The King's reply filled the Independents with joy, who no longer disguised their wish to dethrone Charles, and either place his son, the Duke of York, who had been taken at Oxford, upon the throne, or establish a republic. The Presbyterians were disheartened; but when the Scots offered to withdraw their army on the receipt of a compensation for their past services, the two houses cheerfully accepted the offer, and it was agreed that £400,000 should be raised by the confiscation of the church lands, to be paid to the Scots in lieu of all demands.

Charles
rejects the
parliament's
proposals.

1646-47

This, however, did not settle the question as to the disposal of the King's person, and when the two houses resolved (September 21st) that this belonged to the parliament of England, the Scots remonstrated, the Presbyterians were embarrassed, and a bitter controversy ensued. Apprehensive of the quarrel leading to a war between the parliament and its allies, pay for the army during the next six months was voted, a plain hint to the Scots that their right to the possession of the King's person would be disputed by force of arms. Holles, Stapleton, Glynn, and the leaders of the Presbyterians, therefore, counselled the Scots to yield, for they persuaded themselves that, if the King were given up into the hands of parliament, it would be easy to disband that fatal army, which threatened to give power to the Independents, and was the enemy of both King and parliament. The dispute, nevertheless, lasted for the rest of the year, and it was not before the 30th of January, 1647, that the Scots departed from Newcastle, leaving the King in the hands of the parliamentary commissioners, who conducted him to Holmby, a royal residence near Northampton. The Scots took with them half the parliamentary vote which had been granted for the surrender of their royal prize.

The Scots deliver the King into the hands of the parliament.

79. **Disputes between the Army and the Parliament.** Now that the war was over, and the King in their hands, the Commons began to take measures for breaking the force of their sole remaining enemy—the army. They carried, but with considerable opposition, resolutions to disband a part of it, and send the rest to Ireland; to admit of no officer higher than a colonel, except Fairfax, the general; and to grant no commissions to any member of the house, or to any person who refused to take the Solemn League and Covenant, and did not conform to the Presbyterian system (February, 1647). The Lords confirmed these resolutions, and required that the army, during its disbanding, should remove further from the metropolis (March 24th). A loan of £200,000 was immediately raised in the city, to pay the soldiers their arrears; and a committee, on which sat nearly all the Presbyterian leaders, was ordered to superintend these measures. But the army was not so easily to be done away with, and there was one in it who was able to oppose the parliament and the Presbyterians by bolder measures and more daring intrigues than their own. Although Fairfax was in command, his gentleness and good nature suffered him to be guided by the advice or wishes of those around him—by his wife, his companions, and especially by

Cromwell. While the latter thus obtained the confidence of the general, he secured the love and esteem of the common soldier, for whom he advocated liberty and toleration, with whom he joined in the conventicle, and whose wrongs as a religionist, and privations as a soldier, he affected to resent. To his fellow officers he lamented, as he one day said to Ludlow, the ingratitude and jealousy of the parliament, which never rendered justice to any man, however true he might be; whereas in serving under a general, a man was as useful, and had no dread either of blame or envy. Ludlow, who was a sincere republican, could not understand this dark and designing language, and made no advances to the adventurer; but others were easily deceived, and

Intrigues of Cromwell. already Cromwell had many able supporters. The chief of these were Ireton, his future son-in-law, a man of a firm, obstinate, and subtle spirit, capable of carrying on, silently and with deep cunning, the boldest designs, veiled under an appearance of rough honesty; Lambert, a brilliant officer, ambitious and vain, and who, having been brought up to the law, like Ireton, had a power of insinuation and readiness of speech which gained over the soldiers; Harrison, Hammond, Pride, Rich, Rainsborough, colonels of tried valour, and personally attached to Cromwell, the first by religion, the second by relationship, the others because they expected to rise with the ascendancy of his genius.* By means of these officers, Cromwell, although he now sat regularly in the house, maintained his influence in the army. As soon as the disbanding of the troops was mentioned, these men immediately excited opposition, and while Cromwell deplored this from his place in the house, and expressed his devotion to parliament in the most solemn language, he constantly informed the officers of all that was doing in London, and counselled and suggested the movements which the soldiers made under their secret directions. Under these impulses the army suddenly marched from Nottingham to

The army moves towards London. Saffron Walden, where Fairfax was met by parliamentary commissioners, who called a council of officers, and submitted to them the proposals for the service in

Ireland. The soldiers replied to these by a *Manifesto*, in which they demanded arrears of pay, the cavalry for 43 weeks, the infantry for 18; indemnity for acts done in war; exemption from impressment for foreign service, which was not according to their contract of service; compensation for the maimed; pensions for their widows and orphans; and regular

Its Manifesto.

* Guizot's Eng. Rev., 317-318.

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pay until they were disbanded. The Presbyterian leaders, seven of whom had been colonels of the old army under Essex, and who, therefore hated the new-model men, were alarmed at this; all members of parliament holding commands were ordered to repair to the army, and it was declared that those who had had a hand in promoting the petition of the army were "enemies to the state and disturbers of the public peace." This unwise declaration only made matters worse; but the measures for the disbanding went on nevertheless, as well as the formation of the corps destined for Ireland. The soldiers now went further, and in addition to the council of officers, another was formed consisting of two representatives from every troop and company, calling themselves *adjutors* or *helpers*, a name which their enemies ingeniously converted into *agitators* or *disturbers*. Under the guidance of these two assemblies, the regiments addressed a solemn justification of their conduct to parliament, in which they maintained that, by becoming soldiers, they had not lost the rights of subjects; that, by purchasing the freedom of others, they had not forfeited their own; and that they ought to be allowed to petition now in what regarded them as soldiers, no less than afterwards in what might regard them as citizens. At the same time, they addressed a letter to Fairfax and the officers, in which, after stating their resolution to submit to no wrongs, they said that the expedition to Ireland was a mere pretext to separate them from their favourite officers, and to conceal the ambition of a few men who had long been servants, but who, having lately tasted of sovereign power, were now degenerating into tyrants, in order to become masters (April 30th).

The council
of officers
and the
adjutors.

Their
solemn
justifica-
tion.

This language exceedingly alarmed the Presbyterian leaders in parliament; and Cromwell, Skippon, Ireton, and Fleetwood, were ordered to repair to the troops, and assure them that ordinances of indemnity should be passed, that their arrears should be audited, and that a considerable payment should be made previous to their dismissal from service (May 8th). During these proceedings the soldiers had made secret overtures to the King, offering to restore him to his just rights if he would place himself at their head. The King rejected their offers, but the report of them in London increased the agitation. The more cautious members became timid; some left London; others, like Whitelocke, sought the favour of the generals, and of Cromwell in particular. Holles, Stapleton, and Glynn, and

The soldiers
make secret
overtures to
the King.

their colleagues, however, remained obstinate; they condescended to pass the ordinance for indemnity (May 21st), and to issue eight weeks' pay (May 25th), but they ordered Fairfax to disband the army immediately. Instead of obeying, he called the council of officers, when it was resolved that as the pay was but a small portion of their arrears, and there was no security for the remainder; that as the parliament had stigmatised them in a vote as enemies of the state, and had not rescinded the vote, the whole army should meet together and consult in common. Orders were immediately despatched to the several regiments to rendezvous on the 4th of June on Kentford Heath, near Newmarket; the park of artillery at Oxford was secured, and £4,000, destined for the pay of the garrison of that city, seized for the use of the army. These proceedings opened the eyes of the Presbyterians; they expunged the offensive vote from the journals; they brought in a more comprehensive ordinance of indemnity; and were meditating other measures of conciliation, when they were disturbed by the arrival of extraordinary tidings from Holmby.*

80. *Abduction of the King from Holmby.* On Wednesday, the 2nd of June, while Charles was playing bowls at Althorp, near Holmby, a cornet in the general's life guard, named Joyce, was observed standing among the spectators, and late in the evening of the same day, the commissioners in attendance upon the King understood that a numerous party of horse had assembled on Harleston Heath, whose object could not be doubted. The guards in attendance upon the King left him that night, and about two o'clock in the morning, the strangers appeared before the gates, and were instantly admitted, Joyce at once informing the commissioners of the object of his errand. Early the next morning, they conducted the King to Hinchinbrook House, whence, at his request, they escorted him to Newmarket. He rode with them willingly, and when a strong force, sent by Fairfax, offered to deliver him from Joyce, and take him back to Holmby and the parliament, he positively declined. He expected that this new movement would be of advantage to him, and enable him to extirpate the one party by the aid of the other.

The design of seizing the King was openly avowed by the agitators, though common belief attributed it to the secret contrivance of Cromwell. It had been carefully concealed from

* Lingard, X., 198-202; Guizot's Eng. Rev., 317-325; Carlyle's Cromwell's Letters and Speeches, I., 220-224.

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the knowledge of Fairfax, who did nothing to oppose it, beyond despatching the force above mentioned; for while he desired to satisfy the complaints of the army, he was anxious to prevent a rupture between it and the parliament. But Cromwell had a very different object in view,—the humiliation of his political opponents; Joyce despatched a letter to him as soon as he had secured his prize, and Hazelrigg, Fleetwood, and Ireton were all admitted into the conspiracy.

81. **The Army marches towards London.** The first news of this bold manœuvre caused general dismay in both houses, and a solemn fast was ordained, to obtain from the Lord the restoration of harmony between the parliament and the army; a considerable portion of the arrears was advanced forthwith, and the declaration which had treated the first petition from the officers as seditious, was rescinded and erased from the journals (June 5th). But when the details of what had taken place were known, and Cromwell's share in the transaction had become manifest, the fears of the parliament gave way to indignation, and Cromwell, being accused, called God and angels to witness that he was innocent. Soon after, Harbottle Grimstone charged him with having said that the House of Commons ought to be purged, and that the army ought to do it. But Cromwell again vehemently repelled the accusation, and asserted his faithfulness to the house with so many tears and solemn words, that he turned the opinions of the members altogether in his favour. That very evening he secretly left London, and joined the army, which was then holding its celebrated rendezvous on Triploe Heath (June 10th), near Cambridge. Here all the regiments entered into a solemn engagement not to disband, nor volunteer for the service in Ireland, till their grievances had been satisfactorily redressed, and their subsequent safety secured. After this, the army moved on to St. Albans, and during the march addresses from the freeholders of the different counties were daily presented to Fairfax, as if the force under his command constituted the supreme authority of the nation. A succession of petitions, remonstrances, and declarations, issued from the pens of Ireton and Lambert, under the superintendence of Cromwell; the army continually strengthened its demands, and now required (June 14th) that all capitulations granted during the war should be observed; that a time should be fixed for the termination of the present parliament; that the House of Commons should be purged of every individual disqualified by

Cromwell
accused in
the house of
removing
the King.

The
rendezvous
on Triploe
Heath.

preceding ordinances, and that eleven members, comprising Holles, Glynn, Stapleton, Clotworthy, and Waller, the chief leaders of the Presbyterians, should, in the meantime, be impeached and excluded from parliament; and as an earnest of their meaning in these requirements, the army at once advanced to Uxbridge.

The Presbyterians now foresaw that a struggle was inevitable, and they prepared to defend themselves against the impending blow, by making extraordinary efforts to gain the favour of the citizens. They abolished the most obnoxious duties; they resolved that no member should hold any lucrative office; and they reinstated the committee which had formerly been appointed to receive the complaints of the people. But these concessions came too late, and although a few squadrons of citizens were formed,

The parliament submits to the army. and the militia was recruited, the parliament saw no alternative but submission. The soldiers were declared the army of the parliament; a month's pay was granted as the reward of their services, and commissioners from the two houses were appointed to treat with their commissioners, as with the representatives of an independent and co-equal authority (June 30th). The eleven members, in the meantime, retired, some to France, some into obscurity, others to the Tower.*

82. Negotiations between the King and the Army, and between both and the Parliament. When the King heard of these revolutions, he was preparing to go to Richmond, according to the desire of parliament; but the turn which the struggle now took set aside his purpose, and he persuaded himself that the contest must end in his restoration. But the opportunities which were furnished by the passions of his adversaries were all forfeited by his own irresolution and insincerity. He had no complaint to make of his treatment; the officers and soldiers were far more respectful to him than the parliament; his younger children were allowed to be with him; his servants, Legge, Berkeley, and Ashburnham, though known to have come from France with a message from the Queen, were permitted to attend him; and he was allowed the society of his chaplains, who read the Prayer-Book service in his presence, publicly, and without molestation. Several of the officers openly professed to admire his piety, and to compassionate his misfortunes; Cromwell sent him secret assurances of his attachment, and several addresses were made to him in the name of the military, expressive of the general wish

* Lingard, X., 207-8; Guizot, 330-333; Carlyle, I., 227-232.

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to effect an accommodation which should reconcile the rights of the throne with those of the people. A secret negotiation followed, through the agency of Berkeley and Ashburnham, in which Cromwell, Ireton, Lambert, Rainsborough, and others, took an important part.

The King's
negotiation
with the
army.

The terms which the latter offered were the most moderate which had hitherto been made to the King, and were the same which were submitted to the parliamentary commissioners, as the plan of the army for the settlement of the nation. They required that the command of the militia, and the nomination of the great officers of state, should be given up to the parliament for ten years; that seven of the King's councillors should remain banished from the kingdom; that all civil and coercive authority should be withdrawn from the bishops and clergy, but that Episcopacy should remain, as well as Presbyterianism, and the liturgy and covenant be on an equal footing; that no peer created since the beginning of the war should have a seat in the present parliament, and no Cavalier admitted to the next. Certain other reforms were required, not affecting the crown and its prerogative. These were that parliament should sit every year, and not less or more than a certain number of days; that decayed and inconsiderable boroughs should be disfranchised, and the number of county members increased, according to the proportion of rates in each county; that everything regarding the representation and the election of members should be in the hands of the House of Commons; that the names of all sheriffs and magistrates should be recommended to the King by the grand jury at the assizes, and that the grand jury itself should be selected by the several divisions of the county, and not by the sheriff.*

Its plan
for the
settlement
of the
nation.

Had the King accepted these not unreasonable terms, he would most probably have been placed upon the throne; for even his own agents, who had the best means of forming a judgment, though they differed on other points, agreed in this, that the officers acted uprightly and sincerely.† But Charles, unfortunately, persuaded himself that the struggle between the Presbyterians and Independents would enable him to give the law to both parties, and when the settlement was submitted to him for his final approbation, he returned an unqualified refusal, in language which betrayed his connection with the Presbyterians, of whose proceedings in London news now reached the army (July and August).

Charles
rejects the
plan.

In that city the utmost excitement prevailed; and bands of citizens and apprentices were constantly besieging Westminster Hall, to compel the parliament to vote the return of the King, and restore the eleven members. The army, therefore, determined to bring the metropolis under subjection, as it had brought the parliament. The city abounded with discharged officers and soldiers, who had served under Essex and Waller, and the supreme

* Lingard, X., 212. † Ibid, 213.

authority over the military within the lines of fortification had been vested in a committee, all of whom were strong Presbyterians. To wrest this formidable weapon from the hands of their adversaries, ^{Excitement in London.} the army demanded that the command of the city militia should be transferred to others. The Presbyterians were alarmed; but the houses, now under the influence of the Independents, dissolved the committee, on which the city determined to resist. Lord Lauderdale, the chief of the Scottish commissioners, hastened to the King to obtain his concurrence; a new covenant, devised in his favour, was subscribed by crowds of the citizens and soldiers, and copies of it were despatched to every part of the kingdom (July 25th). The parliament voted this new engagement an act of treason; they were immediately attacked by the mob, and in the midst of the confusion the chief of the independent members escaped, the greater portion to the army, the rest to their own homes (July 26th).

The King's perfidy soon became manifest; yet the officers and the Independent leaders did not at once break off all communications with him, while Charles, who received news daily from his agents in London, still maintained a haughty demeanour towards them. Hearing that many Royalists had joined the Presbyterians, and that a declaration had been circulated in the name of the King, condemning all attempts to make war on the parliament, the officers conjured Charles to write a conciliatory letter to the general, in which he should disavow any design of assisting the enemy, should thank the army for its attentions to his comfort, and should commend the moderation of their plan of settlement in many points, though he could not consent to it in all. His own agents also earnestly requested him to do this, and they even drew the letter up, and asked him to sign it; but he still hesitated, in the vain hope that the Presbyterians would triumph; and when at last he agreed to their wishes, London had already submitted, and the conquerors rejected his co-operation as no longer of any value to them (August 4th).

When the Independents fled from the parliament to the army, Holles and his colleagues returned and resumed their ascendancy; ^{And enters London.} the command of the militia was restored to the former committee; and a vote was passed that the King should be invited to Westminster. Ten thousand men were already in arms; arms and ammunition were drawn from the Tower, and the Presbyterian generals, Massey, Waller, and Poyntz, gladly accepted the command. But when it was known that the army,

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after being reviewed on Hounslow Heath, had advanced to Hammersmith, all this military enthusiasm vanished, and the lord mayor ordered the gates to be thrown open. The next morning (August 8th), the Independents, escorted by Fairfax, entered the city in triumphant procession; two days afterwards Skippon and Cromwell brought in the rest of the army; and after considerable opposition on the part of the Presbyterian members, who still composed a formidable body, all the votes which had been passed during the absence of the Independents were annulled (July 26th—August 6th).

The submission of the citizens made a considerable change in the prospects of the captive monarch; for had any opposition been offered, the officers would have openly declared him. But now that they had prevailed, they thought no more of his restoration, and he was transferred from Oatlands to Hampton Court, where he resided with some show of sovereign power; his word being accepted as the security of his safety.

Charles
removed to
Hampton
Court.

83. Cromwell and the Levellers. The revolution, so far, had been kept within reasonable bounds, but now the bolder and more daring began to declare themselves openly. Vane, Ludlow, Haselrigg, Martin, Scott, and Hutchinson, plainly spoke of establishing a republic; the sovereignty of the people was publicly professed; and any accommodation with the King was treated as treason. In the ranks below these men, the excitement to new theories was equally as intense; wild reformers rose up on all sides, who, when brought before the judges, ordered those officers to leave the seats of usurpation, or if attacked in the sermons of the Presbyterian ministers, dragged the preachers from the pulpits, and raved at the people in their places. They had no general plan, no complete theory; they were all republicans, but they carried their projects of revolution beyond the government; they aimed at changing society itself, and the relations, manners, and feelings of the community. Some sought to abolish only the privileges of the Lords, and the extortions of the lawyers; others looked forward, in a kind of pious dream, to the speedy approach of the reign of Christ upon earth; the Rationalists claimed absolute sovereignty for each man's reason, as that guide which God had given to every man for the performance of his duty in this life. Some of these talked of introducing a strict equality of rights of property; in religion they rejected all coercive authority; in politics they taught that it was the duty of the

Rise of the
Levellers.

people to vindicate their own rights, and to do justice to their own claims. Hitherto, they said, the public good had been sacrificed to private interest; by the King, for the sake of arbitrary power; by the officers, for the sake of command, title, and emolument; and by the parliament, for the sake of permanent authority. This party, nicknamed the *Levellers*, was in turn the strength and terror of all other factions.

No one had succeeded so well in keeping on good terms with all parties as Cromwell; no one had succeeded so well in first

Cromwell
on good
terms with
them.

making use of them and then deceiving them. With the Levellers, whom he heartily abhorred, he was on the most intimate terms: the irregular outbursts of his imagination, his eagerness to make himself the equal and the companion of the rough and the boorish, his language, at once mystic and familiar, his manners, by turns commonplace and exalted, giving him at one time the air of an inspired preacher, and, at another, that of a plain peasant; even his free and supple genius, which seemed to place at the service of a holy cause all the resources of mere human ability, found immense favour in the eyes of these obscure but powerful enthusiasts. His most useful agents were amongst them; they were the leading members of the council of *agitators*, and Lilburne, the leader of the sect, had the greatest confidence in him. But now that the Presbyterians were subdued, and the King was a prisoner, and only the army and the Independents remained, Cromwell and the officers became objects of distrust to the Levellers, who said that the cause of the Lord could not triumph so long as the conquerors continued to live in friendship with the delinquents. They spoke of the King as an Ahab, the

They sus-
pect his
dealings
with the
King.

everlasting obstacle to peace, the cause of all the dissension and bloodshed; they openly threatened Cromwell, Ireton, and the officers, if they continued to treat with him, or to have any dealings with his agents; and not even imprisonment in the Tower, where the Lords had sent him for violent language, restrained Lilburne from hurling the bitterest reproaches upon Cromwell. The latter now saw that it was necessary to be more discreet in his communications with the King. He still persevered in them; but at the same time, he renewed his professions to the Levellers, careful not to break faith or pledge himself to any party irremediably. He was, in fact, a stranger to the blind presumption of his party; the success of the republicans seemed to him questionable, the desires of the enthusiasts chimerical; the insubordination of the soldiers

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threatened his power; and yet, while he fomented their disorder, he was not the man to tolerate it; the King's name was still a power, his alliance a means, his re-establishment a possibility; he, therefore, kept this in reserve, like many others, ready to abandon it for a better, pushing his own fortune by every path which promised the greatest or readiest success.*

84. Negotiations during the King's Residence at Hampton Court. The King was well informed of these various phases of opinion in the parliament and the army, and he resolved to address himself more to the leaders of the dominant faction, than to the faction itself, and to offer individual favours rather than general concessions. To Ireton he offered the government of Ireland; to Cromwell the office of commander-in-chief, the colonelcy of the King's guards, the title of Earl of Essex, and the Garter. Similar advantages were proposed to their principal friends. But Charles took care that these offers should be revealed to the *agitators* and the Levellers; and at the same time he received the Earls of Lauderdale and Lanark, and other Scottish commissioners, at Hampton Court, so that the two generals and their friends were placed in great difficulties; they did not dare to close with the King, for fear of the factions, and they were equally alarmed at the prospect of his alliance with the Presbyterians and the Scots. The distrust and anger of the soldiers was assuming a menacing form; secret, as well as open societies were formed at every station; Lilburne and the more violent even proposed to get rid of Cromwell by assassination, and purer *agitators*, called *new agents*, who were independent of the general, were charged to watch the traitors (as the officers were called), and serve the good cause in whatever place, and at whatever price. Rainsborough, Harrison, Scott, and others, were at the head of this movement. While the army was thus disunited, the Royalists and Presbyterians were gradually forming a closer alliance, and quietly preparing to fall upon the factions at the first opportunity. A resolution was agreed upon that the Scots should enter England next spring, with a numerous army, and call on the Presbyterians for their aid; that Charles, if he were at liberty, otherwise the Prince of Wales, should sanction the enterprise by his presence; that Ormond should resume the government of Ireland, while Capel, Langdale, Musgrave, and the English Cavaliers, should secretly assemble the remains of the King's party in England.

Charles
offers
titles to
Cromwell.

Appoint-
ment of
"New
agents."

The Royal-
ists and
Presbyte-
rians unite.

* Guizot's Eng. Rev., 345-349; Lingard, X., 219; Forster's Lives, VI., 141-192.

In the midst of this perplexity, one of Cromwell's spies gave him information of a letter from Charles to the Queen, containing the King's real designs towards the army and its leaders. Cromwell discovers the King's treachery. The letter, sewn up in the skirt of a saddle, would be found that night, at the Blue Boar Inn, Holborn, a servant unacquainted with the secret having to take the saddle to the inn, where a horse was waiting to convey the bearer of the letter to Dover. Cromwell and Ireton, disguised as private soldiers, went to the place, and obtained the letter; in it the King said that he was courted by both factions; that he should join the one which bade fairest for him, and that he thought he should rather treat with the Presbyterians than with the army.

"For the rest," he added, "I alone understand my position; be quite easy as to the concessions which I may grant; when the time comes, I shall very well know how to treat these rogues, and, instead of a silken garter, I will fit them with a hempen halter."* (October.) This letter sealed the King's fate; the suspicions of the two generals were fully confirmed, and henceforward they were as free from uncertainty respecting their designs upon the King as they were respecting his towards them.

85. Charles Escapes from Hampton Court.—It was full time that the conduct of Cromwell and Ireton should cease to be wavering and undecided, for the army, excited by the Levellers, was in the greatest confusion. A paper, entitled "*The Case of the Army*," accompanied with another, under the name of "*The Agreement of the People*," had been drawn up, and presented to the general by the *agitators*, demanding a new constitution, in which the sovereign power should reside in the people and their representatives: equality of law, freedom of conscience, and freedom from forced service in time of war; triennial parliaments and extension of the franchise. These demands were strenuously supported by Colonels Pride and Rainsborough, and as fiercely opposed by Cromwell and Ireton. The council of officers yielded so far as to require that parliament should make no more addresses to the King; but the two houses voted the papers destructive of the government, and ordered the authors to be prosecuted; although, at the same time, to please the soldiery, they resolved that the King was bound to give the royal assent to all laws for the public good, which had been passed and presented to him by the Lords and Commons (November 6th).

* Hallam, I., 630, Notes; Guizot' Eng. Rev., 354; Forster's Lives, VI., 228-232.

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This daily increasing violence of the Levellers alarmed the King for his safety; he withdrew his word of honour not to attempt an escape; on which all his servants, except Legge, were dismissed, and his liberty was restrained. But the dark hints of the dangerous designs of his enemies which reached him from all sides, the warning which Cromwell sent, so wrought upon his fears, that he, at last, contrived to escape from Hampton Court, on the evening of the 11th of November. He safely reached Sutton, in Hampshire, attended by Legge, Ashburnham, and Berkeley; and, while Berkeley and Ashburnham went to the Isle of Wight, to sound the disposition of Hammond, the Governor, he found an asylum at Tickfield House. Hopes of Hammond's sympathy and assistance were grounded upon the fact that he was nephew to one of the royal chaplains; but they were vain; he merely answered that he was a servant bound to obey the orders of his employers, and that he would act as an honest man. Strange to say, Berkeley and Ashburnham were satisfied with this mysterious answer, and they returned to the King with Hammond and the captain of Cowes Castle, to the great dismay of Charles, who saw at once the danger in which they had placed him. With a cheerful countenance, however, yet with a misboding heart, he accompanied the two officers to the island, and was safely lodged in Carisbrooke Castle (November 13th, 1647).

86. The General Officers confront the Levellers at Ware. The consternation which the King's escape excited in Westminster Hall, was considerably increased when Cromwell informed the house of the King's safe custody in Carisbrooke Castle, and still more by an event which now took place. The increasing violence of the Levellers, and the mutinous disposition of the army, had induced Fairfax and the council of officers to dismiss the *agitators* to their respective regiments, and assemble the army in three brigades, on three different days, in the hope of putting an end to its dissensions. On the appointed day, the first brigade, on which the officers placed their chief reliance, mustered in Corkbush field, between Hertford and Ware, and a remonstrance which the officers had drawn up in the general's name, was read to each regiment in succession. The brigade received this letter with joyful acclamations. But two regiments, Harrison's cavalry and Robert Lilburne's infantry, not belonging to it, had come to the meeting without orders, and in a state of the fiercest excitement. The latter had expelled all their officers above the rank of lieutenant, except Captain Bray, who was now in command of them, and every soldier wore on his hat a copy of *The Agreement*

of the People, with this motto, "The people's freedom and the soldier's rights." Harrison's regiment, after some debate, submitted; Lilburne's regiment remained obstinate. "Take that paper from your hats," exclaimed Cromwell. They refused. He then darted into their ranks, and seized the ringleaders, three of whom were condemned to death on the spot; and lots being drawn, one, Richard Arnell, was immediately shot, and the rest marched off to prison. By this act of vigour, subordination was restored for the time, and the other meetings passed off quietly. But Cromwell soon discovered that the Levellers constituted two-thirds of the army, and that it was necessary for him to retrace his steps if he wished to retain his former influence. With this view, he made a public acknowledgement of his error in having corresponded with the King, and solemnly promised to stand or fall with the army. A solemn fast was kept to celebrate this event; and Cromwell, in the assembly of the officers, confessed, with tears, "that his eyes, dazzled by the glory of the world, had not clearly discerned the work of the Lord;" and he therefore humbled himself, and desired their prayers. Ireton followed him in the same strain.*

87. *The King rejects the Four Bills.* The King experienced no change of treatment in consequence of his escape from Hampton Court, and he soon recommenced his former intrigues. He sent Sir John Berkeley to congratulate Cromwell and his friends on the results of the meeting at Ware, and to remind them of their promises; and by a message to parliament (November 16th), he proposed, in addition to his former terms, to surrender the command of the army during his life, to exchange the profits of the court of wards for a yearly income, and to undertake the payment of the money due to the military and the public creditors. But the parliament paid no attention to his message; and Cromwell sent this word to him by Berkeley, "I will do my best to serve the King, but he must not expect that I shall ruin myself for his sake." The King's apprehensions were re-awakened by these discouraging things, and he again meditated an escape. He might have effected his purpose, for a vessel sent by the Queen had been cruising about the island for several days. But a fresh intrigue re-animated his hopes. On the 14th of December, the House of Commons voted that four propositions should be presented to him, in the form of bills, and

Cromwell
apologizes
for having
treated
with the
King.

Charles
might have
escaped at
this time.

* Guizot's Eng. Rev., 363-367; Lingard, X., 223-224; Carlyle's Cromwell, I., 245.

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that if he accepted them he should be allowed to come and treat with the parliament personally. These bills were—

(1) That the command of the sea and land forces should appertain to parliament for twenty years, with power of continuation there-
after, if the safety of the kingdom should seem to require it. The four Bills.

(2) That the King should revoke all his declarations, proclamations, and other acts published against the House, imputing to it illegality and rebellion.

(3) That he should annul all the patents of peerage he had issued since the 20th of May, 1642, and grant no future peerages, without the consent of parliament.

(4) That the two houses should have the power of adjourning from place to place at their discretion.

The Scots remonstrated against these propositions, and their commissioners, Lords Lauderdale, Lanark, and others, proceeded to Carisbrook, at the same time that Lord Denbigh and the parliamentary commissioners went with them to the King (December). They relaxed from their former obstinacy, and at once concluded a treaty with the King, by which they promised to invade England in the spring, and re-establish him on the throne, on condition that he confirmed the Presbyterian system for three years, he and his friends, however, not being required to conform to it; and that at the end of that term the assembly of divines should settle the constitution of the church in concert with the parliament. Other stipulations, to the advantage of Scotland, but highly offensive to the honour of England, accompanied this general concession. The treaty was secretly signed, and hidden in a garden in the island, until it could be taken away in safety. Having thus definitively settled with the Scots, Charles rejected the four bills, and resolved to escape the same evening (December 28th). But his gaolers were aware of his purpose; the gates were immediately closed, his servants were dismissed, and an attempt to release him, made by the inhabitants of Newport, was suppressed, and its leader hanged. The two houses now resolved that they would cease all communications with him; and that if any person renewed them without leave, he should be subject to the penalties of high treason. These resolutions were carried by a majority of 141 to 92; the Committee of Public Safety was restored, and ordered to act alone, without the aid of foreign coadjutors, on which the Scottish commissioners who had sat upon it, demanded the arrears still due to their army, and retired to their own country (January, 1648).*

The King's
treaty with
the Scots.

The
parliament
resolves to
have no
more deal-
ings with
the King.

* Lingard, X., 225-228; Guizot's Eng. Rev., 367-374.

88: Agitation of the Country at this juncture. These resolutions were equivalent to the establishment of a republic, and they caused an extraordinary ferment throughout the country, which was not allayed by the law reforms which parliament passed to appease the people. For the war committees in every county still exercised the most oppressive tyranny, the monthly tax for the support of the army was larger than ever, and there were numerous other restrictions which the parliament now exercised in full rigour. All who had borne arms for the King were

Severities
against the
Royalists.

forbidden to come within twenty miles of London; the justices of the peace were revised; and all *delinquents* were deprived of their right to vote at any election, whether municipal or parliamentary, and disqualified from holding any political office or trust. Finally, the censorship of the press was entrusted to a committee which sat daily, and the army once more marched through London with all the paraphernalia of war. The Levellers and republicans congratulated themselves upon these rigorous measures, as signal proofs of their strength; but Cromwell and those immediately around him thought otherwise. Throughout the country, he saw the principal freeholders, the rich citizens, all persons of note, and everyone who had anything at stake, retiring from public affairs, forsaking the committees and local magistracies, and power passing into the hands of inferior people, eager to seize it, capable of exercising it vigorously, but ill-fitted to retain it. He felt that the people would not long consent to such a government, and that the daily increasing anarchy and discord could not end otherwise than in the destruction of the ruling party. He

Meetings
at
Cromwell's
house.

therefore set to work to discover, in this dark chaos, some means of putting an end to it, or at all events, his own quickest and safest road to greatness. For this purpose he assembled at his house, frequently, the chief leaders of both parties, in order that he might learn their views, and ascertain what he had to expect or fear from them. Ludlow, Vane, Hutchinson, Sidney, and Haselrigg, openly declared in favour of a republic; the general officers were more reserved. On one occasion the discussion grew warm. Ludlow and others pressed

His
strange
behaviour.

Cromwell to declare himself, that they might know whether he was a friend or foe. Cromwell evaded the point for a while, till, at last, urged more and more, he suddenly rose, and with a forced jest hastily quitted the room, flinging a cushion, as he went out, at Ludlow's head, who sent another after him which made him hasten down stairs faster than he desired. This

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was not mere idle buffoonery on his part; there was something passing, at that instant, in his own heart, which required relief, and such a strange diversion prevented him from betraying himself.*

89. **The Royalist Risings.** In the meantime, the danger apprehended by the republicans drew nigh, and the number and boldness of the malcontents daily increased. An alarming tumult in the city was quickly followed by disturbances in Norwich, Thetford, Canterbury, Exeter, and other places. In Pembroke, Colonel Poyer, the governor of the castle, raised the royal standard, and being joined by the royalists of the neighbourhood, captured Chepstow and besieged Caermarthen. In Scotland, an army of 40,000 men had been levied for the defence of the King and the Covenant; and in Ireland, also, some defections had taken place. When all this news came to London, the Presbyterians again raised their heads; petitions, praying that the army should be disbanded and the King brought back, poured into the two houses from all quarters; and on the 28th of April, parliament voted that the fundamental government of the kingdom by the King, Lords, and Commons, should not be changed; that the proposals offered to the King at Hampton Court should be renewed, and that the resolution forbidding any further address to him should be repealed. Cromwell had foreseen this, and now prepared to resist it. He went to head quarters, and proposed that the army should immediately expel their adversaries from parliament, and take full possession of power in the name of the well-affected, and of public safety. But Fairfax resisted this bold advice, and Cromwell, unable to endure inaction at such a crisis, left London at the head of five regiments, for the purpose of suppressing the risings in Wales, and of regaining, by war, the ascendancy he felt he was losing. His departure was the signal for Royalist risings on all sides round London. The men of Surrey, Essex, and Kent, formed associations and collected arms; Goring, Earl of Newport, took possession of Sandwich, Dover, and Rochester; the inhabitants of Deal rose, and while Rainsborough, the admiral, was preparing to attack the town, the fleet sailed to Helvelsluys, and placed itself under the command of the Duke of York. Alarm, however, was soon quieted by the success of Fairfax, who defeated the principal body of the insurgents at Maidstone (June 1st); and by the dispersion of another force under Goring, at Blackheath. But the

Cromwell
marches
into Wales.

The
Royalists
round
London rise

* Gutzot's Eng. Rev., 3; 6; Forster's Lives, VI., 161.

latter soon appeared in Essex, and being joined by Lord Capel with the Hertfordshire Royalists, and Sir Charles Lucas, he proceeded to Colchester (June 12th), intending to overrun Norfolk and Suffolk, raise the Royalists as he went, and then march upon London through Cambridge. But he had scarcely entered the town, when Fairfax came up and closely invested the place. Thus, in a fortnight's campaign, the wreck of the insurrection which had surrounded London, was enclosed in a town without the means of defence; in other places the Royalists had met with no better success, while letters were received from Cromwell, promising that Pembroke Castle, the bulwark of the western Royalists, should surrender in a fortnight. In the north, Langdale and Musgrave had surprised and now occupied Berwick and Carlisle, in order to open the way for the Scots, but Lambert valiantly maintained his position against them, and prevented them making any further progress.

But are
besieged in
Colchester.

Brief
ascendancy
of the Pres-
byterians.

One of the earliest results of these disturbances was the return of the Presbyterians to power, and the restoration of the excluded members. A vote was passed in parliament to open a new treaty with the King, and commissioners were sent to Newport for that purpose (September 18th). But the negotiations produced no result; for the Presbyterians insisted upon the King's preliminary assent to three bills, revoking all his proclamations against parliament, establishing Presbyterianism for three years, and vesting the command of the forces in parliament for ten years; all which the Lords objected to, and Charles refused to entertain.*

90. The Scottish Invasion and the "Rout" of Preston. While these negotiations were still pending, news arrived that the Scots had entered the kingdom (July 8th), under the Duke of Hamilton, and that Lambert was retreating before them. Report exaggerated their numbers to 30,000 men, though their strength was not more than half that number; but the duke was closely followed by Munroe, who led 3,000 veterans from the Scottish army in Ireland, and was preceded by Sir Marmaduke Langdale, at the head of 4,000 cavaliers, men of valour, who, having staked their all on the result, would fight desperately. With such an army, a general of talent and enterprise might have replaced the King on his throne. But Hamilton had neither of these qualities, and his preparations had been thwarted by so many obstacles, that his men were ill provided, his regiments were incomplete, and his

* Lingard, X., 236-237.

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artillery was out of order. Besides all this, the Moderate Presbyterians, of whom he was the professed leader, were fiercely opposed by Argyle and the Rigid Covenanters, who would agree to nothing but the King's entire and unconditional establishment of the Presbyterian system. Hamilton's army, again, would have no communication with Langdale and the Cavaliers, because they refused to take the covenant; and the two bodies, therefore, marched separately, and always acted independently of each other.

Discords
in the
invading
army.

The news of the invasion, however, none the less agitated all England, because there seemed no means of resisting it; for Fairfax still besieged Colchester, and Cromwell Pembroke. In parliament, the Commons voted the Scots and their abettors public enemies and traitors (July 14th); the Lords rejected the vote, and resolved that the negotiations with the King should be hastened, on which the Presbyterians in the lower house carried a motion that the three bills should no longer be insisted upon as preliminaries to a treaty. The day before (July 27th), the young Prince of Wales, now at the head of the fleet, had appeared before Yarmouth, and issued a manifesto. The crisis was imminent. The Committee of Safety sent urgent orders to Cromwell to march northward as soon as he was able, and the republican leaders, who had formerly distrusted him, now felt that their safety and their hopes depended upon his genius. They humbled themselves, therefore, before him, and requested him to act with vigour, and rely upon them. Indeed, all depended now upon the issue of the struggle between Hamilton and Cromwell; and the King in Carisbrook Castle, the revolted mariners, the London Presbyterians, and the besieged Royalists in Colchester—all men—waited anxiously to see what these two men would make of it when they met.*

The fears it
excited in
London.

Only
Cromwell
to depend
upon.

Cromwell had waited for neither orders from the Commons, nor promises from the republicans; he was well informed of the condition and movements of the Scottish army, and a month ago had sent word to Lambert to fall back and avoid the invaders, promising to be with him shortly. And so it happened. Pembroke surrendered three days after the Scots had crossed the border, and in two more Cromwell set out at the head of 6,000 men, ill shod, ill clad, but proud of their glory, irritated by their perils, full of confidence in their leader, of contempt for their enemies, eager to fight, and certain of victory.†

His rapid
march to
meet the
invaders.

* Carlyle's Cromwell, I., 279.

† Guizot's Eng. Rev., 289.

He marched right across the country, through Gloucester, Warwick, Nottingham, and Doncaster, with unparalleled rapidity. In thirteen days his cavalry joined Lambert (July 27th); on the 7th of August, he himself, with the foot, came up at Knaresborough, where the two forces formed "a fine smart army, fit for action," of about 9,000 men. In the meantime the Scots had advanced through Kendal to Hornby, where they halted to consider what route to take, whether through Lancashire, Cheshire, and the western counties, or through Yorkshire, and thence by the straight road to London. Hamilton chose the former route, much against the will of his officers; who objected to fight in Lancashire, where there were so many hedges and ditches to favour Cromwell's "excellent firemen." The Scots' line of march was scattered over a space of fifteen or twenty miles; they advanced in utter ignorance of the enemy's movements; the weather was rainy and tempestuous. Suddenly Langdale and the Cavaliers, who were far away to the left, about Langridge Chapel, on Preston Moor, sent word to Hamilton that Cromwell—who had marched from Knaresborough through Otley, Skipton, and Gisburne, had crossed the hills to Clitheroe and Stonyhurst—that he was then at Hodder Bridge, and that everything announced on his part an intention of giving battle. Hamilton had that night (August 16th) reached Preston, with the main body of his foot; part of his horse was ahead of him at Wigan, part in the rear at Kirby Lonsdale. The next morning, Langdale was attacked, and for four hours he maintained a more desperate resistance than Cromwell, by his own admission, had ever before met with. He sent to Hamilton for reinforcements, but none came, and he was obliged to yield.

Defeats
Langdale
and the
Cavaliers.

In the meantime, the Scots had been hastening across the Ribble and the Darwen, and the greater portion of their army had already passed over when Cromwell fell upon their rear, under Hamilton, whom he drove out of the town pell mell, crossed the river with them, and at night occupied the bridge over the Darwen. Next morning (August 18th) he renewed the pursuit, and overtaking their rearguard at Wigan, cut it to pieces. There he lay that night, close to the enemy; his men weary and dirty, for the weather was very wet, and the roads were narrow and deep. But the pride of two victories, the hope of a decisive triumph, the very impatience of fatigue, augmented their courage, and they recommenced the pursuit next day (August 19th) with even greater rapidity and determination. Irritated in their turn at being thus

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pressed upon by an inferior force, and meeting with an advantageous pass, called the Redbank, at Winwick, near Warrington, the Scots suddenly turned and faced their pursuers, and a third battle took place, longer and bloodier than the previous two, but with the same result. The English charged with push of pike, very home upon them, and pursued them hotly to Warrington Bridge, where, dismayed and utterly wearied, the foot, under General Baillie, surrendered in a body. Hamilton, at the head of the cavalry, was in advance, near Nantwich, intending to proceed to Wales, to revive the Royalist insurrection there. But everywhere, as he advanced, the peasantry rose in arms, and the magistrates summoned him to surrender; and on the 25th, his own cavalry mutinied at Uttoxeter, where he surrendered to General Lambert, and was sent prisoner to Nottingham. Action at Redbank, near Warrington.
Hamilton surrenders at Uttoxeter. The Cavaliers disbanded themselves in Derbyshire; their gallant leader, who travelled in the disguise of a female, was discovered and taken near Nottingham, but he soon afterwards escaped to the capital dressed in a clergyman's cassock, and remained there in safety, being taken for an Irish minister driven from his cure by the Irish Roman Catholics. In these desperate encounters, the Scots and Cavaliers, who numbered 21,000 men, lost 2,000 slain, and 10,000 prisoners; the loss on the Parliamentary side was comparatively trifling.* At the end of a fortnight's campaign, every trace of the Scottish army in England was destroyed, and Cromwell then marched to Scotland, to wrest from the Royalist Presbyterians there, all means of action and of safety.

91. During the Negotiations at Newport. These brilliant victories alarmed the Presbyterians, who now clearly comprehended that Cromwell's triumph was their ruin. They made a feeble attempt to denounce him as an incendiary, and then made a last effort to conclude that peace with the King, which had been the subject of so much discussion between the two houses. On the 15th of September their commissioners arrived at Newport, whither Charles had repaired to meet them; he was suffered to call around him his servants, chaplains, and such of his counsellors as had taken no part in the war, but no one but the King himself was allowed to negotiate; and when Charles wished to take the advice of his friends, he had to retire with them into an adjoining room. His appearance had somewhat altered during his long troubles. His hair had turned grey; an expression of habitual sadness had

* Carlyle's *Cromwell*, I., 279-299; Guizot's *Eng. Rev.*, 388-391; Lingard, X., 237-239.

blended with the haughtiness of his glance; his deportment, his voice, his every feature revealed a proud yet subdued soul, alike incapable of struggling against its destiny, or of yielding; a touching and singular mixture of grandeur without power, of presumption without hope.* The commissioners were authorised to argue, advise, and entreat, but not to concede; the propositions were the same which had been submitted to Charles at Hampton Court. To many of these demands he offered no objection; on four points only he remained inflexible. He refused to abolish entirely the functions of the bishops: he objected to the perpetual alienation of the episcopal lands; he demanded indemnity for all his friends; and would not agree to the enforced establishment of the covenant. Yet, at the same time that he solemnly promised to stop all hostilities in Ireland, he secretly wrote to Ormond, to obey the Queen's orders, not his; and, on the very day on which he conceded the command of the forces, he wrote to Sir William Hopkins, that he did so with a secret reservation to retract his concession.† Such was the state of the negotiations when the forty days allotted by parliament expired; and a prolongation of twenty days was voted (November 5).

92. The Army's "Remonstrance." While the King thus acted with his usual duplicity, and the Presbyterians were obstinately insisting upon his acceptance of the covenant, matters were daily assuming a more threatening aspect. Cromwell's career in Scotland had been one of complete triumph. At the first rumour of his victory the peasants of the western counties had risen and marched towards Edinburgh, to drive the Royalists thence‡: Argyle had come to Berwick to meet him, and, when he entered the capital, the authorities had received him with great pomp and ceremony. He had concluded a treaty by which Argyle and his party had been established in the possession of the government, and, having thus trampled under foot the power of the Royalists everywhere, was now on his return to London, where numerous addresses were being presented to parliament, demanding prompt justice upon the delinquents, whatever their rank or name (October and November). Though the parliament rejected these petitions, others from the army followed, far more explicit and formidable, declaring that it was a duty imposed upon them by

The terms
which
Charles
finally
refused to
concede.

Cromwell in
Scotland.

* Guizot's Eng. Rev., 395. † Ibid, 396.

‡ The western peasantry were called *Whigamores*, from the word *whigam*, used by them in driving their horses. Hence the rising was termed the Whigamore's insurrection, and the term *Whig* came to denote anyone opposed to the court.

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God, who had given them the victory, to call the King to a strict account for all the blood which had been shed during the civil war. They condemned the treaty which was being negotiated as dangerous and unjust, and required the re-establishment of the general council of war, as the only remedy for the national evils. The council accordingly resumed its sittings, and the immediate result of its deliberations was a remonstrance of enormous length, similar to that which, seven years before, on the same day (November 21st, 1641), the Commons had addressed to the King.

The army is resolved to call the King to account.

This paper, in a tone of menace and asperity, after enumerating all the evils of the country, required that the capital and grand author of them all should be brought to trial for the treason, blood, and mischief of which he had been guilty; that a period should be fixed for the dissolution of parliament; that a more equal representation of the people should be devised; that the representative body should possess the supreme power, and elect every future king; and that the prince so elected should be bound to disclaim all pretensions to a negative voice in the passing of laws, and to subscribe to that form of government which he should find established by the present parliament. *

This remonstrance was addressed to the House of Commons alone, as the representative of the people, in whom alone the sovereign power resided; and the foremost men in framing it were Ireton and Ludlow. But Holles, the leader of the Presbyterians, was a man of unconquerable intrepidity; and his proposition that the generals and officers should, for their disobedience and usurpations, be proclaimed traitors, was well supported by his party. A resolution to postpone the Remonstrance was carried by an immense majority, and instructions were sent to the commissioners at Newport to hasten the conclusion of the treaty (November 20th and 29th). But the parliament was dealing with men who were not afraid of mere words, and whose actions were not retarded by much scrupulous delicacy; and on the 30th of November, the King was forcibly removed from Newport by the agents of the army, and lodged in Hurst Castle, a lonely prison on the coast of Hampshire.†

They are opposed by the Presbyterians.

Charles is seized by the army, and removed to Hurst Castle.

93. **Pride's Purge.** The same day, the council of officers published a menacing declaration against the House of Commons, charging the majority with apostacy, appealing from their authority to the judgment of God and of the people, and asserting it to be the duty of the army to settle the kingdom, and punish the guilty. In pursuit of these objects Fairfax marched several regiments to

* Lingard, X., 245-246.

† Guizot's Eng. Rev., 391-406.

London, and quartered them at Whitehall, York House, the Mews, and in the skirts of the city (December 2nd). Yet, amidst this din of hostile arms, the Presbyterians daily attended their duty in parliament, determined to redeem themselves from the stain which their former pusillanimous conduct, in 1646, had fixed upon their character. Before being taken to Hurst Castle, Charles had offered new concessions, slightly differing from those which the Presbyterians had so many times rejected. The latter now declared them satisfactory, and fit to serve as the basis of peace. The debate upon the subject was longer and more animated than any which had yet occurred within the walls of parliament. In the course of it, Vane drew a most vivid portrait of the King, in which he exposed all his hollowness and insincerity. Nathaniel Fiennes, the son of Lord Say, became, for the first time, the royal apologist, and refuted the charges brought by his fellow commissioner; and the celebrated Prynne seemed to forget his antipathy to the court, that he might lash the presumption and violence of the army. While the debate continued, the army gradually took up its positions in the city; and the alarm which these movements caused was soon increased by the intelligence of the King's seizure and imprisonment in Hurst Castle. After three days and a whole night, the Commons at last came to a division, at nine o'clock on the morning of the 5th of December; and, by a majority of 140 to 104, it was resolved that the King's offers furnished a sufficient ground for the future settlement of the kingdom. This was the last triumph of the Presbyterians. The next day, Skippon discharged the guards of the two houses, and supplied their place by Colonel Pride's infantry and Colonel Rich's cavalry, who occupied Palace Yard, Westminster Hall, the stairs, vestibule, and every access to the house. Pride stood at the door, with a list of members whom the council of officers had marked out for expulsion from the house, and as they arrived they were pointed out to him by Lord Grey, of Groby, and immediately arrested. Fifty-two Presbyterians were excluded on this first day; others met with similar treatment the day following; and the house was found, after repeated "*purges*," as they were called, to consist of about fifty individuals, who, in the quaint language of the time, were afterwards dignified with the honourable appellation of "*The Rump!*" The number of members expelled was 143.*

Intrepidity
of the
Presbyterians

Some of
them defend
the King's
character.

And they
carry a resolution to
continue
negotiations with
the King.

They are all
expelled
from the
house.

* Lingard, IX., 249-50; Guizot's Eng. Rev., 402, 405-410; Carlyle's Cromwell, I., 346-347

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94. Preparations made for the King's Trial. The same day, Cromwell, whom no one suspected of having any share in these proceedings, arrived in London, and immediately resumed his seat in the house, where he solemnly asserted before God, that he was ignorant of what had been doing, but said that, as the work was in hand, he was glad, and they must carry it through. The house received him with every demonstration of gratitude; the speaker addressed to him official thanks for his late campaigns; and, on leaving the house, he took up his lodgings at Whitehall, in the King's own apartments. The next day the army appropriated the contents of the treasury, and three days afterwards (December 11th) they forwarded to Fairfax, under the title of "A New Agreement of the People," a plan of a republican government, drawn up, it is said, by Ireton, which they requested him to submit to the council of officers.

Cromwell's
reception in
London.

"A New
Agreement
of the
People."

In the meantime, the Commons repealed all the acts and votes which had lately been adopted in favour of peace, without consulting the Lords, and they followed this up by appointing a committee to draw up the King's impeachment (December 23rd). At the recommendation of this committee, the house declared that it was high treason in the King of England for the time being to levy war against the parliament and kingdom of England; they then passed an ordinance erecting a high court of justice to try the question of fact, whether Charles Stuart, King of England, had or had not been guilty of the treason so constructed. The House of Lords rejected both the vote and ordinance, and then adjourned for a week; but the Commons thereupon resolved that, the Commons of England, being the representatives of the people, had the supreme authority, and that whatever they enacted was law, although the consent and concurrence of the King and House of Peers were not given thereunto. Two days later they passed an act for the trial of the King (January 6th, 1649);* and named 135 commissioners to undertake that task. The only great name not on the list was Vane's; he had retired to Raby Castle after Pride's purge, and was the only republican who refused to have any share in the proceedings which now followed.

The House
of Com-
mons de-
clared the
supreme
authority.

95. The King's Trial and Condemnation. On the 8th of January, the commissioners sat for the first time in the Painted Chamber, Westminster Hall. Fifty-three were present, including

* Forster's Lives, IV., 300.

Fairfax, who never appeared again. Algernon Sidney attended several times, but only to protest. Counsel and officers of the court were nominated at this sitting; due proclamation was made in Westminster Hall of the coming trial, and a similar proclamation was made at the Old Exchange, and in Cheapside, by order of the House of Commons. The next day the new great seal was designed; on one side there was to be engraved the map of England and Ireland, with the inscription, "The great seal of England;" and on the other, a representation of the House of Commons, with the inscription, "In the first year of freedom, by God's blessing restored." On the 10th, the commissioners again met, and chose John Bradshaw, serjeant-at-law and chief justice of Chester, their president; Steele was named attorney to the court, and Coke the solicitor. After these preliminaries were completed, with that solemn publicity which befitted such an occasion, the King, who had in the meantime been conveyed from Hurst Castle to Windsor, was privately brought to St. James's, and, on the following morning (January 20th), conducted by Colonel Harrison to Westminster. About noon, the commissioners assembled in the Painted Chamber, whence they proceeded in solemn order to Westminster Hall, Bradshaw at their head, with the sword and mace before him, preceded by sixteen officers, armed with

A new great seal.

Charles conveyed to St. James's.

Appearance of the court partisans. The president, dressed in a scarlet robe, and covered by his famous broad-brimmed hat, took his seat in a chair of crimson velvet; before him were the two clerks of the court, at a table with a rich Turkey cover, on which were placed the mace and sword; to the right and left, on seats of scarlet cloth, sat the members of the court, with their hats on; and at the two extremities were gentlemen-at-arms. When the members had taken their seats, the doors were opened, and the crowd rushed in; the ordinance authorizing the court was read; the names were called over, and sixty-nine members were present. Then the prisoner was called.

The King came in, attended by a guard, under Colonel Hacker, and took his seat in a chair of crimson velvet, at the bar, then suddenly rose, looked around, and sat down amidst deep silence. The president now addressed him. "Charles Stuart, King of England, the Commons of England assembled in parliament, taking notice of the effusion of blood in the land, which is fixed on you as the author of it, and whereof you are guilty, have resolved to bring you to a trial and judgment, and for this cause the tribunal is

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erected." Coke, the solicitor, then delivered the charges to the clerk, who began to read them. "Silence," said the King, touching Coke on the shoulder with his cane. The gold head of the cane dropped off; a short but violent emotion appeared in his features at this ominous circumstance; he picked up the head, and sat down again thoughtfully.

The charges stated that Charles Stuart, being a King, with limited power to govern according to law, for the benefit of the people, and the preservation of their rights and liberties, had designed to erect in himself an unlimited power, and to take away the remedy of misgovernment reserved in the fundamental constitution, in the right and power of frequent and successive parliaments. They then enumerated the principal occasions on which, in execution of his purpose of levying war on the present parliament, he had caused the blood of many thousands of the free people of this nation to be shed; and they affirmed all these purposes and this war to have been carried on for the upholding a personal interest of will and power, and a pretended prerogative to himself and family, against the public interest and common right, liberty, justice, and peace of the people of this nation.*

During the reading, Charles smiled contemptuously at a passage which described him as a "tyrant, traitor, murderer, and public and implacable enemy to the commonwealth of England." When the president called upon him to answer, he replied very gravely and with great ability, demanding to know by what authority he was brought thither, affirming that he was King of England, that he had a trust committed to him by God, and delivered to him by old and lawful descent, and that he would never betray it by answering to a new and unlawful authority. As soon as he was satisfied of the authority of the court, he would proceed further. The president overruled his objection, saying, "Sir, if what we tell you of our authority is not sufficient for you, it is sufficient for us; we know it is founded on the authority of God and of the kingdom." The second and third days were consumed in similar discourses; the court would not allow the authority by which they sat there to be disputed; and the King desired that he might give his reasons. This produced interruption and altercation; and at last the president ordered the "default and contempt of the prisoner to be recorded." On the fourth and fifth days the court sat in private, to receive evidence that the King had commanded in several engagements, and to deliberate on the form of judgment. On the sixth day (January 27th), the president

* Forster's Lives, IV., 307.

again took his seat in the court, to pronounce sentence.* The King immediately demanded to be heard, not to question, he said, the authority of the court, but to request a conference with the Lords and Commons, to whom he wished to propose something which concerned the peace and liberty of the kingdom. But the president opposed this proceeding; one of the commissioners, however, named Downes, a timid man, expressed dissatisfaction at the president's opposition, on which the court retired to deliberate. In half an hour they returned, and sentence ^{The sentence.} was pronounced, which, after reciting the charges, concluded thus: "for all which treasons and crimes, this court doth adjudge that he, the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy, should be put to death by severing his head from his body." The president then rose and said, "The sentence now read and published is the act, sentence, judgment, and resolution of the whole court; upon which all the commissioners stood up, by way of declaring their assent. The fortitude and dignity which had sustained Charles throughout now gave way; and his words betrayed a human suffering and agony of heart to the last degree affecting. "Will you hear me a word, sir?" he asked. "Sir," said the president, "you are not to be heard after the sentence." "No, sir?" exclaimed the King. "No, sir, by your favour," retorted the president. "Guards, withdraw the prisoner." Charles then exclaimed, with the struggle of deep emotion, "I may speak after sentence! By your favour, sir! I may speak after the sentence! Ever! By your favour." A stern monosyllable from Bradshaw interrupted him. "Hold!" and signs were given to the guards. With passionate entreaty the King again interfered: "The sentence, sir! I say, sir, I do—" Again Bradshaw said "Hold!" and the King was taken out of court as these words broke from him, "I am not suffered to speak. Expect what justice other people will have." The soldiers cried, as the King was taken away, as they also did when he was brought in on this last day, "Justice! Justice and execution!" The people cried "God save the King!" The commonly recorded insults of the soldiers spitting in his face, and otherwise ill-treating him, rest on no good authority; and the story of one of the soldiers being struck down for saying "God bless you, sir!" is distinctly denied by Milton. It was the fashion of the Royalists

* Sixty-seven members were present on this occasion. When Fairfax's name was called, a lady in the gallery, supposed to be his wife, exclaimed, "He has too much wit to be here;" and when an allusion was made to the prosecution being the act of the people of England, she also cried out, "Not one half of them."

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to run a parallel between the last days of Charles and the crucifixion of our Blessed Lord. "Suffering many things like to Christ," was their profane expression.

In the short interval that remained to him, every consolation of spiritual advisers, or of the society of his friends, was granted by the governors of the commonwealth. He passed the 28th of January, which was Sunday, alone with Dr. Juxon, engaged in exercises of devotion; on the Monday he received the farewell visits of his children, the Princess Elizabeth and the Duke of Gloucester. The warrant for his execution had ^{The King's last hours.} meanwhile been signed (January 29th) by fifty-nine of the commissioners; and about ten o'clock on the morning of the 30th, he was conducted from St. James's, on foot, between two detachments of military, across the park, to Whitehall. Here he took the sacrament at the hands of Juxon, and at two o'clock was conducted through the long gallery, where an aperture had been made in the wall, through which he stepped at once upon the scaffold. In the whole of this last mournful and tragic scene, Charles bore himself with a dignified composure, and was, to the last, undisturbed, self-possessed, and serene. He addressed those around him, for the people were kept far off by the military, forgave all his enemies, protested that the war was not begun by him, declared that the people's right was only to have their life and goods their own, "a share in the government being nothing pertaining to them;" and concluded with words which perhaps expressed a sincere delusion, that he died "the martyr of the people." When his head fell, severed at one blow by the executioner, a "dismal universal groan issued from the crowd," who were quietly dispersed by the military. The body was immediately enclosed in a coffin, and exposed for seven days at Whitehall. Cromwell looked at it attentively, and raising the head, as if to make sure that it was indeed separated from the body, said, "This was a well-constituted frame, and which promised a long life." On the 6th of February, it was given to the King's servants, and interred by them in St. George's Chapel, Windsor Castle. On the coffin were engraved these words only, "Charles Rex, 1648."

CHAPTER III. THE COMMONWEALTH. 1649 to 1660.

SECTION I. RULE OF THE LONG PARLIAMENT.

1649—1653.

I. CONTINUATION OF THE CIVIL WARS.

1. **The New Government.** The death of the King was followed by the abolition of Kingship and of the House of Lords, and the formation of a council of state for the executive power. The latter consisted of forty-one members; Bradshaw was made president; Milton, his kinsman, was appointed foreign secretary; Vane, who had returned to public affairs, was placed at the head of the admiralty; and Robert Blake, Edward Popham, and Richard Dean, were made admirals. All these officers, as well as the members of the council, were to hold office for one year only. At first, there was some division concerning the new oath of allegiance to the new powers. This oath expressed approbation of all that had been done; Cromwell and eighteen others cheerfully took it; but Vane, Fairfax, and the rest declined. It was, therefore, changed into a general promise of adhesion to the parliament, in which form it was taken by all. Other changes followed. Lisle, Keble, and Whitelocke were entrusted with the great seal; all writs ran in the name of "the keepers of the liberty of England by authority of parliament;" new commissions were issued to all judges and magistrates; but with the exception that the name of the King's Bench was altered to that of Upper Bench, no change was made in the mode of administering the law. In religion, the Presbyterian form was maintained, but stripped of all coercive power and temporal pretension; and some toleration was granted to the episcopal clergy, and even to the Roman Catholics. The dissolution of the present parliament was next considered; but the republican leaders did not consider it advisable to disturb the country at that time with a general election, and they made no parliamentary changes, except the re-admission of those excluded members who agreed to enter on the journals their dissent from the vote of December 5th, which declared that the King's concessions at Newport were sufficient to form the basis of a treaty with him.*

The government is vested in a council of state.

New oath of allegiance.

Religious toleration is partially granted.

* See Forster's Lives, IV., 130; Godwin's Commonwealth, III., 108.

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2. **Mutinies of the Levellers.** The only Royalists whom parliament brought to the scaffold were Hamilton, Holland, and Capel. But the new government had other enemies besides the Royalists, and the Levellers, led by John Lilburne, gave considerable trouble. Lilburne had been a partisan of Dr. Bastwick, and had undergone the usual horrible punishments inflicted by the Star Chamber, for circulating his tracts. He and his friends strongly suspected Cromwell, Ireton, and Harrison, as seeking their own aggrandisement, under the mantle of patriotism; they considered the revolution had not gone far enough; and to stop the mouth of "Free-born John," as Lilburne was called, ^{John Lilburne.} parliament voted him £3,000, out of the estates of the delinquents. But, as soon as he had secured this bribe, he renewed his agitation, and the Commons were besieged with petitions from the army, demanding annual parliaments, and new members every year; the enforcement of the self-denying ordinance; the abolition of the present government; the decrease of lawyers, reduction of fees, and the exclusive use of the English language in the law courts; the abolition of excise and customs; the sale of *delinquents'* lands; reformation of religion, "according to the mind of God;" full religious toleration; abolition of tithes, and in lieu thereof the levy of a rate upon all parishioners, for the support of the ministers. Lilburne had published a pamphlet called "England's New Chains Discovered," and read it to a numerous assembly of soldiers, at Winchester House (March 25th), for which he was imprisoned in the Tower. On this, the soldiers mutinied in London, Salisbury, and Banbury; and both Cromwell and Fairfax saw that it was high time to adopt decisive measures. Parliament made it treason for any one to deny its supremacy; words spoken were made capital offences, and simple sedition was converted into treason. The Salisbury mutineers were surprised at Burford, and their ringleaders shot; the risings in Hants, Devon, and Somerset, were quickly suppressed; and a grand national thanksgiving was then held in London, for so signal a deliverance* (June 7th).

3. **The Irish War.** Soon after the suppression of these mutinies, the council of state entrusted Cromwell with the government of Ireland, where affairs were in a most miserable condition. The country was distracted by its factions. ^{Parties in Ireland.} The Catholics of the Pale, under Preston, demanded freedom of religion; the old Irish Catholics, or Confederates, under Owen

* Lingard, X., 280-282; Carlyle's Cromwell, II., 20-30.

Roe O'Neil, demanded the restoration of popery, and the surrender of all estates to the native proprietors; the Ormond Royalists, composed of Episcopalians, were strong for King without Covenant; and the Presbyterian Royalists of Ulster were strong for King and Covenant; and, lastly, Michael Jones and the Commonwealthmen were opposed to both King and Covenant.* At the date of Cromwell's arrival, Catholics, Episcopalians, and Presbyterians had combined against the Commonwealth, and the royal interest was predominant. The fleet, under Prince Rupert, rode triumphant along the coast; and the parliamentary commanders, Jones in Dublin, Monk in Belfast, and Coote in Londonderry, were confined within the limits of their garrisons.

But the new lieutenant soon applied himself, with his wonted vigilance, to the establishment of the Commonwealth's supremacy. When he reached Dublin (August 15th), he found that Jones had already defeated Ormond at Rathmines (August 2nd). He, therefore, determined to begin his operations at once by the ^{Siege of} ~~Drogheda.~~ siege of Tredah, or Drogheda, which was defended by Sir Arthur Aston, a veteran Cavalier. The place was twice assaulted without success; but, the third time, Cromwell led the attack himself; Ireton closely followed; and the town was captured, after a terrible slaughter. But no sooner had the firing ceased, than Cromwell, "being in the heat of action," forbade his men to give quarter; and, for five days, the surviving defenders, as well as the unresisting inhabitants, were put to the sword. It has been said that Cromwell allowed these cruelties in revenge for the massacres of 1641. But the garrison of Tredah was mostly English; his true object was to terrify all other garrisons into submission. His policy had the desired effect. Wexford was taken, and the same horrible scenes were again enacted. Rosse, Cork, Kinsale, Youghal, Bandon—all the towns before which Cromwell presented himself, now opened their gates without resistance; and, next spring, Fethard, Callen, Gowran, and Kilkenny, surrendered in quick succession. But the horrors which were again committed now taught men, who had no alternative but victory or death, to fight with the energy of despair; the garrison of Kilkenny resisted so successfully, that Cromwell, to spare his men, granted them honourable terms; while that of Clonmel repelled two assaults, and then escaped during the confusion. The capture of Clonmel was Cromwell's last exploit in

* Carlyle's Cromwell, II., 43.

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Ireland, the parliament recalling him in May, 1650, to undertake a service of greater importance and difficulty.*

4. **The Scottish War. Capture and Execution of Montrose.** Immediately after the execution of the King, the Scots proclaimed his son, Charles II. (February 5th); but they insisted upon his taking the covenant before they actually placed him upon the throne. Confident of the success of Ormond and the Irish Royalists, Charles rejected this demand, and he left the Hague in order to proceed to Ireland—a step which he was further compelled to take at that time, in consequence of the murder of Dr. Dorislaus, the parliamentary envoy to the court of Holland, by some of the followers of Montrose (May 19th). But when he reached Jersey, he heard of Ormond's defeat at Rathmines; he, therefore, returned to Breda, where, after some hesitation, he accepted the terms of the Scottish commissioners (May 13th, 1650).

Prince Charles concludes a treaty with the Scots at Breda.

That which chiefly induced him to make this submission was the capture and execution of Montrose, whom he had, in the previous year, commissioned to invade Scotland, and gain, by force of arms, that crown which he now accepted upon hard conditions. This intrepid, but rash, enthusiast, had embarked at Hamburgh, and landed at Kirkwall, in the Orkneys, with 500 men, most of whom were Germans. He crossed over to Caithness; but his name had lost that magic influence which success had once thrown around it; and none of the Highlanders flocked to his standard. He was surprised and easily defeated by Strachan, near a pass called Invercarron, on the confines of Ross-shire; and, after wandering about in disguise for several days, was betrayed by a friend, and dragged in triumph from town to town till he reached Edinburgh, where further indignities awaited him. The Scottish parliament had already condemned him to death, and had ordered that he should be hanged on a gibbet thirty feet high; that his head should be fixed on the Tolbooth, and his limbs over the gates of Perth, Stirling, Glasgow, and Aberdeen. On the 21st of May, he underwent this barbarous sentence with a spirit superior to every insult, and unscared at the menaces of death.

Capture and execution of Montrose.

5. **Prince Charles in Scotland.** A month after the execution of Montrose, Charles landed in Scotland, near the mouth of the river Spey (June 16th). He had assured the Scotch parliament

* Guizot's *Cromwell*, 57-60; Forster's *Lives*, VI., 271-272; on Cromwell's rigour in Ireland, read his Declaration in Carlyle's *Letters*, &c., II., 99-118.

that he had expressly forbidden Montrose to invade Scotland, and that he felt no regret in the defeat of one who had drawn the sword in opposition to the royal command. But this vile calumination of one of his most devoted adherents availed him nothing; and before he was permitted to land, the *rigid Presbyterians*, of whom Argyle was the leader, compelled him to sign the covenant. Their ministers beset him with exhortations and sermons of immoderate length; they expatiated in violent terms on the sins of his father, the idolatries of his mother, his own sinfulness, and the backsliding of the malignants; and they took care that neither of the other two parties, viz., the *Engagers*, or *moderate Presbyterians* under Lanark, Lauderdale, and Dunfermline, and the *Royalists*, or *Malignants*, should have any opportunity of obtaining influence over him. They even compelled him to subscribe a public document declaring his abhorrence of the sins of his family, and his resolution to tolerate nothing but the covenant in every part of his dominions. He thus found himself worse than a puppet in the hands of the dominant faction; the show of royalty he possessed only served to heap upon him greater indignities; he was consulted on no public measure; and his favour was sufficient to discredit any pretender to office or advancement.*

6. Cromwell's Invasion. The Battle of Dunbar. But this mock royalty was of short duration; for in less than a fortnight after the prince's landing, Cromwell, now lord general of the Commonwealth's forces, in the place of Fairfax, was on his way to the Borders, at the head of 12,000 veterans, accompanied by Generals Fleetwood, Lambert, and Whalley; and Colonels Pride, Overton, and Monk. He found the whole country between Berwick and Edinburgh abandoned by the population, and stripped of everything which could supply his army; the Scotch clergy having described the English as monsters, who delighted in the murder and mutilation of women and children. But Cromwell conducted his troops by the sea coast, and daily received provisions from the fleet which accompanied him; while his proclamations and severe discipline soon re-assured the inhabitants, who, accordingly, returned to their homes. When he approached Edinburgh, he found the Scottish army, under David Leslie, posted behind a deep intrenchment running from Edinburgh to Leith, fortified with numerous batteries, and flanked by the castle at one end, and the harbour at the other. Nothing could induce the Scots to come out

* Scott, I., 484.

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of these strong defences ; a month went by without a blow being struck ; and the position of the English army became critical. The provisions were nearly exhausted ; sickness broke out ; the communication with the fleet grew daily more precarious. Cromwell, therefore, retreated to Dunbar, where he took up a position on the peninsula, having Belhaven Bay on his right, and Brocks mouth House on his left, "about a mile and a half from sea to sea" (September 1st). This movement induced the Scots to come out with the intention of intercepting the enemy's return to England ; and, as they took the shorter and more inland road, they were enabled to place themselves in a strong position on Doon Hill, about two miles to the south of the invaders. They occupied all the passes ; while the deep grassy glen The battle-ground. through which the Brock runs, separated them from the enemy. The brunt of the battle took place at the point where the London road now crosses this burn ; another pass led from this, called Cockburn's path, which Leslie held with a strong force ; for there, says Cromwell, "ten men to hinder were better than forty to make way," and safe retreat to England could only be made through that pass. Cromwell was not ignorant of the danger of his situation ; he had even thought of putting the infantry on board the fleet, and of attempting to escape with the cavalry, by the only outlet, Cockburn's path, on the high road to Berwick. In this crisis, the interference of the preachers and of the committees of the kirk and the estates, ruined this fair promise of success, and they insisted that Leslie should leave his strong position, descend into the plain, and "go down against the Philistines at Gilgal." When Cromwell saw the enemy leaving their fastnesses, in obedience to this order, he at once The battle. perceived his advantage, and planned the battle on the instant. The night was wild and wet, and the harvest moon waded deep among clouds of sleet and hail. The English had tents, but the Scots had none ; and, when the battle began, the rain had extinguished all the matches of their firelocks. About four o'clock in the morning (September 3rd), Lambert began the attack by endeavouring to seize the pass across the Brock ; but the Scottish lancers, aided by their artillery, charged down the hill, drove the English cavalry from their position, and broke through the foot. The English, however, immediately rallied, and charged desperately ; they fell like a tornado upon the Scottish cavalry, who turned and fled in mad panic, trampling to death their own infantry. At that instant the mist dispersed ; over St

Abb's Head and the German Ocean, the first gleams of the rising sun burst upon the combatants; and Cromwell, in a transport of inspiration, exclaimed "They run; I profess they run! Let God arise, and let his enemies be scattered." The soldiers caught his spirit, and rushed upon the foe with terrible fury; in a few moments the Scottish army was shivered to utter ruin; the infantry, 10,000 in number, threw down their arms, and surrendered in a mass; the cavalry fled, some to Belhaven, some to Haddington, some even to Dunbar, to the very heart of the enemy's quarters, so panic-stricken were they. Cromwell's regiment halted to sing the 117th psalm, and then continued the pursuit for more than eight miles. Three thousand Scots were slain on this dreadful day, and the greater portion of the prisoners were sent to the West Indian and American plantations. The whole of the south of Scotland submitted to the conquerors, who thought no more of retreat; and Cromwell returned to Edinburgh in triumph.*

7. The Scots invade England. The Battle of Worcester. The defeat of Dunbar was attributed by the rigid party to the presence of malignants in the Scottish army; and, in the western counties, they carried this opinion so far as to declare that the defeat was a punishment for their having espoused the King's cause. These extreme fanatics, called *Remonstrators*, assembled, to the number of about 4,000 men, and, under Strachan and Kerr, began to make war both against Cromwell and Charles. The latter, afraid of his father's fate, escaped from Perth to Clova, at the invitation of Huntley, Athol, and the Highland Royalists; but the reception he met with not being such as he had anticipated, he was easily induced to return to Perth, with Colonel Montgomery, who had been sent in pursuit of him (October). This adventure, which was called *the Start*, led the Committee of Estates to treat the Prince with more consideration, and they caused him to be crowned, at Scone, soon afterwards (January 1st, 1651).

In the meantime Cromwell had obtained possession of Edinburgh Castle and most of the neighbouring fortresses; and in July (1651), he advanced against Stirling, where Charles and the Scottish army were strongly posted behind the river Carron. But he failed to bring the Scots to an engagement, although he crossed the Firth, and took Perth; and thus cut off the King's supplies and communications from the north (August). In this emergency,

* Carlyle's *Cromwell*, II., 180-194; Lingard, X., 309-316; Forster's *Lives*, VI., 284-292.

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Charles adopted a bold and decisive measure. He resolved to invade England, and endeavour to join his friends there before Cromwell could overtake him. On the 31st of July, he broke up his camp near Torwood, and on the 6th of August, reached Carlisle at the head of about 12,000 men.*

Prince
Charles
invades
England.

Cromwell was engaged in fortifying Perth, when he received the news of this daring movement. As at Dunbar, his spirit rose at once to the crisis; he wrote immediately to London, to give all necessary courage and confidence to the council and citizens; he sent Lambert from Fife, with 3,000 cavalry, to hang on the rear, and ordered Harrison, with an equal number from Newcastle, to press on the flank of the enemy; and, on the seventh day, he led his army of 10,000 men by the eastern coast in the direction of York. The reduction of Scotland was left to Monk, with 5,000 men.

Charles, in the meanwhile, had pushed on by Kendal and Preston to Warrington, without meeting a single foe. Lambert had joined Harrison near that place, intending to dispute the passage of the bridge; but they arrived too late, and although they drew up in battle array on Knutsford Heath, the King avoided them, and still forcing his way, at last reached Worcester, where he was proclaimed by the mayor, and joined by a few of the neighbouring gentry. London, anticipating his entry almost every hour, gave way to fearful alarms;† but the citizens had little cause for their fears, for Cromwell, having collected a force of nearly 30,000 men, was now fast approaching; and the Scots were opposed to the aid of any Royalists who would not take the covenant. The Presbyterians of Lancashire had promised to rise, and Massey was sent to assume the command of them; but the committee of the kirk forbade him to co-operate with the Earl of Derby, who had brought a small force from the Isle of Man. That Earl undertook to surprise Colonel Lilburn, near Manchester; but he was himself overtaken by the Republicans, in a lane leading from Chorley to Wigan, and his troops utterly defeated. The number of Royalists, therefore, who joined Charles was very small, and when he reviewed his whole forces, in the Pitchcroft, the meadows between the city and the river (August 26th), he found that less than one-sixth of them were Englishmen. On the 28th Cromwell arrived in the neighbourhood of Evesham, and the same night Lambert transferred 10,000 men

His march
to Worcester.

* Scott, I., 492-494; Lingard, X., 318-324.

† Mrs. Hutchinson's Memoirs.

across the Severn, at Upton Bridge, and drove Massey from that post. On the evening of Tuesday, the 2nd of September, Fleetwood also passed the bridge with a considerable force, intending to attack, next day, the Scotch outposts on the south-west, about the suburb of St. John, across the river Teme; while Cromwell, in person, plied them from the south-east, on the left bank of the Severn, and attacked Fort Royal. The whole of the city stood on the left bank, on rather high ground, surrounded by fruitful fields and hedges, unfit for cavalry fighting.

Thus the plan of Oliver's attack was in keeping with his genius; he took the sudden and daring resolve of throwing his army astride upon two rivers, of forcing a passage across both the Severn and the Teme, and of coming down at once upon the enemy from the eastern and western heights overlooking Worcester. Early on the morning of the 3rd, the anniversary of the battle of Dunbar, and Cromwell's *fortunate* day, Fleetwood advanced from Upton to Powick, to force the passage of the Teme, while Cromwell, to preserve the communications, threw a bridge of boats across the Severn, at Bunshill, near the confluence of the two rivers. But it was five o'clock in the afternoon before Fleetwood had completed his bridges and set fairly across the Teme, to begin business. Charles, with his staff, on the top of the Cathedral Tower, had perceived Fleetwood's intention, and set off immediately to oppose him; but Cromwell also completed his bridge just at the same moment, and then marched across to support Fleetwood, who drove the Scots from hedge to hedge, towards the suburb of St. John. At this juncture, the Scots in the city, fancying that most of the enemy's forces must have crossed over to the left bank, stormed out, under Charles himself, and attacked them on the opposite bank. But Cromwell instantly recrossed the Severn bridge of boats. For three hours the battle raged here with the greatest fury; but, in the end, the Scots were driven back towards the city. Fort Royal was captured, and its guns turned upon the fugitives; and while the Royalists were pursued through the Sudbury Gate, on the east, they were driven through St. John's suburb, and over Severn Bridge, on the west. An obstinate fight now ensued in the streets, but on every point the Scots were outnumbered; and Charles, seeing that all was lost, and that he had not a moment to spare, placed himself at the head of the Scotch cavalry, and took the northern road by the gate of St. Martin. In this disastrous battle, the slain, on the part of the Royalists, amounted to 3,000, the prisoners to twice

The Battle
of Worcester.

1651

that number. The cavalry escaped in separate bodies; but so depressed was their courage, so bewildered were their counsels, that they successively surrendered to smaller parties of their pursuers. The Cavaliers, for the most part, escaped; but the Scotch officers were detected by their accent. The Duke of Hamilton and Sir John Douglas were slain; Leslie, Massey, Lauderdale, Grandison, and many others, were taken at different times. Eight of the prisoners were executed, one of whom was the celebrated Earl of Derby, who was beheaded at the market cross in Bolton, Lancashire (October 15th).

The most vigilant inquiries were made for the young prince; but his fate remained an impenetrable mystery for several weeks. He left Worcester immediately after the battle, in company with some Scottish horse, and, when night came on, separated himself from them, and went to the monastery of Whiteladies, the seat of a Catholic gentleman, named Giffard. Giffard disguised him as a woodman, and then entrusted him to the care of the brothers Penderell, who were labourers and tenants on his estate. These humble men discharged the duty thus placed upon them with unshaken fidelity, although the parliament had offered £1,000 reward for the capture of the prince, and had denounced death against all who befriended him. They took him to Boscobel House, and concealed him in the adjoining woods; and on one occasion, for safer concealment, they hid him amidst the branches of an old and lofty oak, while the parliamentary soldiers were scouring the wood in search of him (September 5th). Charles remained at Boscobel two days, and then repaired to Moseley, where the Penderells left him in care of Lord Wilmot and Mr. Whitgrave, a recusant. He now changed his disguise, and assumed a servant's livery, and, under the name of William Jackson, set off on horseback for Bristol, carrying behind him his supposed mistress, Miss Lane, the sister of Colonel Lane, of Bentley. At the end of three days they reached Bristol without interruption; but there was no vessel in which Charles could embark, and he had to seek another place of refuge. He went to Trent House, the residence of Colonel Windham, and, after some trouble, a vessel was engaged at Charmouth, near Lyme, to convey him to France. But the master of the vessel was prevented from undertaking the voyage by his wife; and a second ship, engaged at Southampton, was taken by the parliament for the transport of troops to Jersey. Perils now gathered round the unfortunate prince, and he went through some dangerous adventures; but at

Charles's
adventures
after the
battle.

last a vessel was found, in which he embarked at Shoreham, and arrived safely at Fécamp (October 17th), after forty-one days' concealment, during which no fewer than forty-five persons had, at different times, been privy to his concealment and escape.

8. Subjection of Ireland. One of the objects of Charles's invasion of England was, that he might thereby draw the republican army out of Ireland, and so restore the ascendancy of the Royalists in that island. But he was disappointed. Cromwell had already, before his return, freed the country of most of the Royalist forces, by allowing France and Spain to enlist more than 40,000 of them for continental service; and his successor, Ireton, had so vigorously followed in his victorious career, that the cause of Charles had become desperate. Moreover, the alliance of the latter with

the Scots had exasperated the Confederate Irish, who drove Ormond out of the country, and then defied both Royalists and Republicans. But the confederates were no match for the Commonwealth, and, although Ireton died of the plague at Limerick, after he had captured that town (November, 1651), Fleetwood, who succeeded him, soon established the complete supremacy of the English and Protestant population. Only English laws were allowed; all papists were deprived of office, whether of a public or private nature; suspected persons were banished, and thousands of people, especially boys and girls, were shipped off to the West Indies; and a court travelled through the island, for the express purpose of trying all who had shed the blood of any one out of battle since the commencement of the rebellion in 1641. The void thus made was supplied by pouring in numerous colonists of Saxon blood and Calvinistic faith.

Besides these, an *Act of Settlement* was passed (August, 1652), which deprived of their property all persons who had fought against the parliament, or had not actively supported it; and transferred them to the districts beyond the Shannon. Many of the chiefs, however, refused to be thus transplanted; they retired to the bogs and fastnesses, where they assembled bands of robbers, called *Raperees and Tories*,* who soon became very formidable to the new settlers. But martial law was strictly enforced throughout the island.

No Catholic was permitted to reside within any garrison or market town, or to remove more than a mile from his own dwelling without a passport; every meeting of four persons, besides the family, was pronounced a treasonable assembly; to carry arms, or have arms at home, was made a capital offence; and any transplanted Irishman, who was found on the left bank of the Shannon,

* From *Tournishin*, to pursue for the sake of plunder.

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might be put to death by the first person who met him, without the order of a magistrate.* Under this iron rule, however, the conquered country soon began to wear an outward face of prosperity. Districts, which had recently been wild and barbarous, were transformed into the likeness of Kent and Norfolk; new buildings, roads, and plantations were everywhere seen; the rent of estates rose fast; and soon the English landowners began to complain that they were met in every market by the products of Ireland, and to clamour for protecting laws.†

9. Subjection of Scotland. The power of the Commonwealth was as firmly established in Scotland as in Ireland, through the genius and ability of Monk, whom Cromwell had left to complete his conquests. Stirling, the maiden fortress, which had never yet been taken, was captured (August, 1651), and the national records and regalia were sent to London, as trophies of victory. The Committee of Estates was surprised, and all the Monk's government of Scotland. members, including the old Earl of Leven, were sent to the Tower; and three days afterwards Dundee, the last stronghold in the hands of the Scots, was taken by storm (September 1st), and all the inhabitants put to the sword. To curb the Highlanders, a long chain of military stations was drawn across the country; citadels were begun at Ayr, Leith, Perth, and Inverness, and an army of 20,000 men was kept up. Yet these formidable restraints did not prevent the clans, under the name of *mosstroopers*, Moss-troopers. from making frequent incursions upon the English districts, and 1653, while Monk was called away to take the command of the English fleet, there broke out several rebellions. But Monk, by his energy and vigilance, by patience and slow methodic strength, put all rebellion down; and, for the first time, Scotland was reduced to profound submission.

All authority derived from any other source than the parliament of England was abolished; English judges held assizes in Scotland; Vane and St. John, and six other commissioners, went to Dalkeith, and convened a parliament, for the purpose of incorporating the two countries; and, although they did not complete their mission, it was accomplished by Cromwell immediately he became Protector. He published three ordinances, by which, of his own Cromwell's three ordinances. supreme authority, he incorporated England with Scotland, absolved the natives from their allegiance to Charles Stuart, abolished the kingly office, and the Scottish parliament, with all tenures and superiorities importing servitude and vassalage, erected courts-baron to supply the place of the jurisdiction he had taken away, and granted a free pardon to the nation. No

• Lingard, X., 369

† Macaulay, I., 135.

one ventured to remonstrate or oppose this complete subversion of the Scottish government; the spirit of the nation was broken; they saw that resistance was fruitless; for the chief nobility languished in English prisons, and the others were held down by heavy burdens and exactions, sequestrations, and even that stubborn kirk, which had so often bearded kings on their thrones, did not dare to utter a single murmur, or to put forward its divine authority, in opposition to the earthly power of the triumphant English Commonwealth.*

At the same time that the two dependent kingdoms were thus reduced to entire subjection, the parliament had regained possession of Guernsey, Jersey, Scilly, and Man, the last refuges of the royal dominion; the chief colonial dependencies, New England, Virginia, and Barbadoes, had either hastened or been compelled to accept the new government of the home country; and, a few months after the battle of Worcester, the republican parliament was master of all the English territories in both hemispheres.†

II. THE COMMONWEALTH'S TRANSACTIONS WITH THE CONTINENT.

10. Quarrel with Portugal for its Protection of Rupert. As yet, the Commonwealth was neither at peace nor at war with the states of the continent, all of which were more or less indifferent to the proceedings which had taken place in England. The first European state with which it came into collision was Portugal, through the protection it afforded to Prince Rupert. In 1649, this daring captain sailed from the Texel with the fleet which had revolted from the parliament, swept the Irish Channel, and inflicted severe injuries on English commerce. The Commonwealth was at first unable to resist these attacks; but, owing to the zealous activity of Vane, the English navy was soon rendered efficient, and in three years it became the most formidable force in every sea. The command was entrusted to three military officers, Blake, Dean, and Popham, the first of whom had already distinguished himself as a captain of dragoons, in the siege of Bristol, and had defended Lyme and Taunton with unshaken obstinacy against the Royalists. He now drove Rupert

Admiral
Blake.

* Lingard, X., 371-374; XI., 25-28; Carlyle, II., 298-301; Macaulay, I., 135.

† Guizot's Cromwell, 116-117.

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into the harbour of Kinsale, and thence to the Tagus, where the Portuguese King (John IV.) granted the prince a safe asylum during the winter. But the stout-hearted republican captain appeared at the mouth of the river in the following spring (March, 1650), and demanded the expulsion of the royal freebooter. The King refused, and Blake, attempting to cross the bar, was fired upon by the Portuguese forts. The English admiral then made prize of twenty Portuguese ships, richly laden, which so alarmed King John, that he compelled Rupert to quit the Tagus. The latter repaired to the Mediterranean, where he maintained himself by piracy; was driven thence by Blake, to the West Indies, where his brother Maurice perished in a storm; and, in the end, he sold his two remaining ships to Cardinal Mazarin, in the harbour of Nantes (March, 1652), and gave up all attacks against the Commonwealth.

Termination
of Rupert's
naval
career.

11. **The Dutch War. Its Causes.** The relations between England and the United Provinces were altered, in 1650, by the death of the Prince of Orange, who, having married one of the daughters of Charles I., would, doubtless, have declared war against the Commonwealth. A few days after his death, his widow gave birth to a son, William III., the same who subsequently ascended the English throne (November 14th, 1650). This circumstance emboldened the democratic party in the States; they abolished the office of Stadtholder, and recovered their ascendancy in the government. The English council of state thereupon proposed to the Dutch the incorporation of the United Provinces with the Commonwealth, and thus, by the formation of a powerful republic, secure the defence of Protestantism and liberty against the rest of Europe. The proposal was insultingly received by the Dutch, who, on the whole, were well disposed towards the English royalists, and protected the Duke of York, and other members of the ex-royal family, at the Hague. St. John and Strickland, the ambassadors who were sent over to make the proposition, were also ill-treated by the populace. After the battle of Worcester, the Dutch repented of these rash proceedings; they deemed it prudent to conciliate their fellow republicans, and they begged for a renewal of the negotiations. But victory had enlarged the pretensions of the English parliament, who had now determined to restore their country to that naval supremacy which Elizabeth had maintained, but which her imbecile successors had suffered to pass away. The salute of the English flag, the

The Dutch
abolish the
office of
Stadtholder.

Proposed
incorpora-
tion of the
two
republics.

right of search, and the limits of the fisheries, became the subjects of ardent contention between the two governments; but the parliament at once attacked the great carrying trade of the Dutch, who had enjoyed it as a monopoly for many years. This was done by the passing of the celebrated *Navigation Act*, which enacted :

The Navi-
gation Act. (1) That no goods, the produce of Asia, Africa, or America, should be imported into this country in ships which were not the property of England, or its colonies; (2) and that no produce or manufacture of any part of Europe should be imported, unless in ships the property of England, or of the country of which such merchandise was the proper growth or manufacture. An exception was made in favour of commodities from the Levant, the East Indies, and the ports of Spain and Portugal, which might still be imported from the usual places of trading, for the simple reason that the English could not have procured them elsewhere.

The above act was not a wise measure, and whether its immediate results were beneficial to the country may be doubted. The statesmen of that period, and for long after, did not understand this fact—that buying and selling, freighting and unloading vessels, bringing home foreign products to exchange with our own growth or manufacture, are not of national benefit, merely as conducing to the enrichment of merchants, but as supplying the necessities, or increasing the enjoyment of the great mass of the people. Still, however, they had glimpses of it, and when France prohibited all trade with England, in 1649, the parliament retaliated, by a like prohibition upon the import of French goods, except linen, because of its general and necessary use. Modern statesmen have been wiser, in this respect, and the principles of the *Navigation Act*, like many other political superstitions, have been abolished.*

12. *Blake's First Actions with Van Tromp.* While the negotiations between England and the Provinces regarding this celebrated measure were still going on, the fleets of Blake and the Dutch admiral, Van Tromp, came to a conflict on the 19th of May, 1652. The Dutchman had come into the Downs with a fleet of forty-two sail, ostensibly to receive some anchors and cables lost on the coast, but instructed to resist the newly-claimed right of search, and to salute the English flag or not, just as he thought proper. Blake, with twenty-three ships, met him off Dover, and summoned him to lower his flag. Van Tromp paid no regard, but turning suddenly round, sent a broadside into Blake's flag-ship. An action immediately took place

Action off
Dover.

* Knight's Pop. Hist., IV., 152.

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which lasted four hours, and ended in the flight of the Dutch, who lost two ships. The battle led to a series of angry altercations between the two nations, the end of which was that war was declared against the States (July 8th). The Dutch appear to have been anxious for peace; the English council was disposed for war. Still, the Dutch did not fear the result of war; the sea was their native element, and their maritime superiority had long been acknowledged by all the powers of Europe. Their ships were far more numerous than those of the English; their commanders were more experienced; their men were better disciplined. They had a more practised body of tacticians, who had been educated for a special purpose connected with the rich commerce of their Indian and American settlements. On the other hand, there was in the English fleet a devoted zeal, which feared no encounter, however unequal, and was indifferent to the grounds of a quarrel, in the determination to uphold the national honour.* The genius of Blake soon gave decided superiority to the English flag. The rule of naval warfare, hitherto, had been to keep a ship and men out of danger; he despised this, and declined following in the old track altogether. He was the first man who taught sailors to contemn castles on shore, which had always been thought very formidable, but which he soon showed made a noise only, and did little hurt. He infused courage into his men by making them see by experience what mighty things they could do if they were resolved; he taught them to fight in fire as well as in water, and thus led them to the performance of those bold and resolute achievements which are still, and ever will be, the admiration of English seamen.† The great admiral's first business, after the declaration of war, was to assert the bounds of the English fisheries. Sir George Ayscough, who had just returned from the reduction of Barbadoes, remained at home to scour the Channel. Blake set off with 105 ships, carrying 4,000 guns; in the seas of the north of Scotland, he dispersed 600 herring busses, and captured or sunk twelve ships of war, which were protecting the fishermen's operations. In the meantime, Van Tromp sailed from the Texel, with 79 men-of-war and 10 fire ships, to engage Ayscough's squadron; but a calm came on, and he was unable to engage. He then sailed northwards, and met Blake between the Orkneys and the Shetland Isles; a storm dispersed his fleet; he lost five ships, and, returning to Holland, was censured by his

Relative
strength of
the two bel-
ligerents.

Tactics of
Blake.

He dis-
perses the
Dutch
fishermen
in the north

* Knight's Pop. Hist., IV., 151-153. † Clarendon, VII., 266.

government, and resigned his command. De Ruyter, a seaman as bold, and almost as illustrious, succeeded him, and drove Ayscough into Plymouth. He was then joined by De Witt, and their united fleets, consisting of 64 sail, encountered Blake in the Downs (September 28th), were worsted, and driven back as far as the Goree, on their own coasts.

The English admiral now laid up his ships for the winter, in different ports, and rode in the Downs with only 37 sail, when he was surprised by Van Tromp, with 73 ships, and driven up the Thames as far as Leigh (November 29th). The Dutchman, proud of his easily-purchased triumph, insulted the English coasts, and sailed to and fro between the North Foreland and the Isle of Wight, with a broom at his mast-head, to intimate that he would sweep the proud islanders from the seas. The States General followed him up by declaring the whole of England under a blockade. But all this bombast soon met with a disgraceful discomfiture. Vane rigorously laboured to equip a powerful fleet for his favourite admiral, and in February, 1653, Blake again put to sea with 80 sail, having Penn, Lawson, Monk, and Dean under his command. Van Tromp had gone to the Isle of Rhée, to take the homeward-bound fleet of 300 merchantmen under his charge. Blake stationed his ships right across the Channel, between Portland Bill and Cape La Hogue, to intercept his return. On the 18th of February, Van Tromp came up; an action immediately commenced, and lasted all day,

without any decided success. The Dutch lost six vessels, the English one. Next day, the enemy were seen opposite Weymouth, drawn up in the form of a crescent covering the merchantmen; the battle was as obstinate as on the previous day; it continued at intervals during the night; it was renewed with greater vigour in the morning, near Boulogne, till Van Tromp, availing himself of the shallowness of the coast, pursued his course homeward, unmolested by the pursuit of the enemy. The victory was not altogether decisive, although the English captured 11 men-of-war and 30 merchantmen; but the Dutch never again set up the broom at their mast-head.*

Blake surprised and defeated by Van Tromp.

Blake retaliates by another victory.

* Lingard, X., 378-387; Knight's Pop. Hist., IV., 153-155.

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III. THE FALL OF THE RUMP PARLIAMENT.

13. **Unpopularity of the Rump Parliament.** While the Commonwealth was thus triumphant over its enemies abroad, after it had put down all opposition at home, a domestic revolution was preparing to overthrow its apparently invincible power. A mortal weakness lay at the very root of all its strength. The government was, avowedly, a provisional government, resting on no direct authority from the people, and the continuance of the great republican leaders in office seemed to be a confession on their part, that the people were against them. To support the army, which they did not dare to disband, they had recourse to heavy taxes, to large grants from the excise, and to extensive sales of the church and crown lands; and the monthly ^{its} exactions. assessment on the counties for the support of the troops had risen from £90,000 to £160,000. The Dutch war also drove the government to still more arbitrary and oppressive measures, and Delinquents were strictly hunted out, heavily fined, and in many cases deprived of all their property. Besides these, the promised reformation of the laws was still unaccomplished; with the exception that all law proceedings were ordered to be transacted in the English tongue. The long duration of the parliament was another crying evil, which at last found a remedy in the passing of an act (September, 1651), which fixed the date for the dissolution of the present parliament, and the assembling of a new one. But as this date was three years hence, viz., November 3rd, 1654, the parliament only aggravated the evil, and offended its own adherents, most of whom deemed annual, or, at least, triennial parliaments, essential to liberty. Thus the Commonwealth forfeited the good will of the only party on whom it could have relied.*

14. **Cromwell's Intrigues to gain supreme Power.** All these discontents, more than any deep laid policy, advanced Cromwell still nearer to that sovereignty which was now within his reach. When he wrote to the parliament, after the battle of Worcester, that the victory was "a crowning mercy," it was to him "a crowning mercy" indeed. His advance from the battle-field to London was a continuous triumph.

Cromwell's reception in London after the battle of Worcester.

* Hallam, I., 657-659; Carlyle, II., 307, 316, 317; Lingard, X., 344-345; Forster's Lives, VII., 2-3; Guizot's Cromwell, 178-179.

The parliament seemed at a loss how to express its gratitude to him for his splendid services; parliamentary commissioners, composed of some of the chief officers in the state, met him at Aylesbury; the speaker and the lord president, the parliament, and the lord mayor and corporation of London, met him at Acton, and presented an address of congratulation; he entered the capital in a state carriage, and was conducted, with grand ceremony, to the palace of Hampton Court, where apartments had been fitted up for him and his family at the public expense. The 3rd of September was declared a public holiday for ever; a day of general thanksgiving was appointed; and, in addition to a former grant of lands he had received, to the amount of £2,500 per annum, other lands, of the value of £4,000, were settled upon him in proof of the national gratitude. When Cromwell thus saw the high position to which he had attained, and when his importance was daily forced upon him by the praise of his dependents, the foreign envoys who paid court to him, the Royalists who craved his protection, and the adulatory addresses which he received from all parts of the country, it cannot be surprising that he indulged the aspirations of ambition, and felt a desire to place the crown on his own head. Power fell into his hands, because he alone was able to wield it; every event taught him his own undeniable superiority over his contemporaries, in martial renown, in civil prudence, in decision of character, and in public esteem.* He assumed the position of the leading reformer of the tyrannies and negligences of "the statesmen," as the soldiers called the lawyers and civil officers; and the council of officers resumed its sittings at Whitehall, and very soon presented a petition to the parliament, requesting the reform of the law, a gospel ministry, and a new parliament.

He alone
was able to
rule.

About the end of 1651, Whitelocke, St. John, Widdrington, Lenthall, Harrison, Desborough, Fleetwood, and Whalley, met Cromwell, at his own request, to consider the settlement of the nation. The four former were in favour of monarchy, Whitelocke inclining to Charles, Widdrington and others to the young Duke of Gloucester; Desborough and Whalley were against a single person's government; and Fleetwood was uncertain. The object of Cromwell, in this conference, was to sift the minds of these men; and he broke it up by remarking, that, if it might be done with safety and preservation of their rights as

Conference
at
Cromwell's
residence.

* Hallam, I., 655.

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Englishmen and Christians, a settlement, with somewhat of monarchical power in it, would be very effectual.* The result of this meeting disappointed Cromwell's expectations; and he soon afterwards released the Duke of Gloucester from the Tower, and sent him to join his family beyond sea.

The "statesmen" had now become thoroughly aware of the lord general's designs; and they, therefore, proposed a considerable reduction in the army, and a proportionate remission of the taxes raised for its support. The motion was too reasonable to be resisted with safety, and both proposals were carried accordingly, the army and the taxes being reduced one-fourth. Six months afterwards (June, 1652), a further decrease was proposed, on which the council of war took the alarm, and the army sent up a petition, which, in addition to former demands, required the removal of scandalous and incompetent persons from office, the abolition of the abuses in the excise and the treasury, and other matters. Whitelocke remonstrated with Cromwell on the danger of permitting armed bodies thus to assemble and petition, but Cromwell rather approved of the proceeding, and, in truth, instigated it.

The army reduced.

In the following November, he requested a private and confidential interview with this lawyer, in which he complained both of the officers and the army: the first, because they were factious murmurers; the second, because they engrossed all offices to themselves, were divided into parties, delayed business, were guilty of gross injustice and partiality, and designed to perpetuate their own authority. Whitelocke, confessing part of this, urged the legal impossibility of controlling the supreme power, on which the lord general abruptly exclaimed, "What if a man should take upon him to be King?" The other replied, that this title would confer no additional benefit on his excellency, because he already enjoyed an ascendancy almost as great as if he had the royal authority; and that his assumption of this title would change the state of the controversy between the parties, and convert a national into a personal quarrel. Cromwell at last conjured the lawyer to speak his thoughts fully; and Whitelocke advised him to restore the King on such conditions as would secure to the nation its rights, and to himself the first place beneath the crown. The lord general coldly observed, that such a grave matter required mature consideration, and left him.†

Interview between Cromwell and Whitelocke

* Whitelocke's Memoirs; Carlyle, II., 311-313.

† Lingard, X., 320-321.

15. Cromwell expels the Rump Parliament. Cromwell now declared open war upon the parliament. He harangued his officers on the infirmities and self-seeking of its leading members. His own object, he declared, was equality, and a pure commonwealth, without a king or permanent chief magistrate of any kind. He had sought the Lord, and divine symbols of grace had been manifested to him! Their present governors were lazy, baleful, unclean men, ungrateful to the army, which had perilled all for them,—insensible to their God, who had Himself declared for England! The kingdom of Christ was near, if the saints would only strike for it! Several meetings, both of officers and members, were also held at the lord general's lodgings in Whitehall. St. John and a few others assented to his purpose of dissolving the parliament by force, if it was necessary, and vesting supreme authority in a council of forty persons, with himself at their head. Whitelocke, Widdrington, and the rest opposed him.

Meetings of
officers at
Whitehall.

In the meantime, the house had come to a determination (February, 1653), that it should dissolve on the 3rd of November following, a year earlier than the date it had formerly fixed upon; that the future number of representatives should be 400, to be elected by freeholders in counties, and owners or tenants in boroughs; but that the members then sitting should remain in their seats. Cromwell and the officers strenuously opposed this last proposition, and on the 19th of April he held a great conference of members and officers at Whitehall; the bill was long and warmly debated, and it was midnight before the assembly separated, with an understanding, however, that the subject should be resumed next morning.

The house
determines
to dissolve
after a novel
manner.

Soon after the conference had recommenced, Cromwell received a notice that the house intended to comply with the desires of the army. This was a mistake. Vane, Martin, Sidney, and the republican party, were urging the house to pass the bill immediately, in spite of the opposition of the officers, that it might obtain the force of law before their adversaries could have time to appeal to the sword. Colonel Ingoldsby immediately hastened to Cromwell, and informed him of the exact purpose of the house.

Cromwell
flies to the
house with
soldiers.

There was not a moment to lose. Cromwell's resolution was instantly formed, and, ordering a company of musketeers to accompany him to the house, he went forth, followed by Lambert and others. He entered the house alone, "clad in plain black clothes, with grey worsted stockings," as was

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his custom when he was not in uniform. Vane was speaking passionately on the urgency of the bill ; Cromwell did not interrupt him, he only turned to St. John, and told him, "that he was come to do that which grieved him to the very soul, and that he had earnestly with tears prayed to God against it ; that he had rather be torn in pieces than do it ; but there was a necessity laid upon him, for the glory of God and the good of the nation." St. John said that he did not understand him ; Cromwell said no more, but sat listening. Vane was finishing his speech, with strong appeals to the house to adopt the bill without any formalities. This roused the lord general, and he beckoned to Harrison, and said, "Now is the time ; I must do it !" "Sir," said Harrison, "the work is very great and dangerous ; I desire you seriously to consider before you engage in it." "You say well," he replied, and thereupon sat still for a quarter of an hour. Lenthall, the speaker, then rose to put the question, when Cromwell also rose, repeated his former words to Harrison, put off his hat, and addressed the house. At first his language was decorous, and even laudatory ; gradually he became more warm and animated ; at last he assumed all the vehemence of passion, and indulged in personal vituperation. He charged the members with self-seeking and profaneness ; with the frequent denial of justice, and frequent acts of oppression ; with idolizing the lawyers, the constant advocates of tyranny ; with neglecting the men who had bled for them in the field, that they might gain the Presbyterians, who had apostatized from the cause, and with doing all this in order to perpetuate their own power, and to replenish their own purses. But their time was come ; the Lord had disowned them ; he had chosen more worthy instruments to perform his work. Sir Peter Wentworth here stood up to answer him, and declared that he never before heard such unparliamentary language, which was all the more offensive because it was addressed to them by their own servant, whom they had, by their bounty, made what he was. At these words Cromwell put on his hat, sprang from his seat into the centre of the floor, and exclaimed, "Come, come, sir, I will put an end to your prating. Call them in !" he added briefly to Harrison, and some twenty or thirty grim musketeers entered, with bullets in their snaphances. The lord general, all in a blaze now, walked up and down the floor, stamping with his foot. "You are no parliament," he cried ; "I say, you are no parliament ! Get you gone ! Give place to honest men." "This," said Sir Harry

His speech
in the
house.

He expels
the
members.

Vane, "is not honest. It is against morality and common honesty." Cromwell replied, with a loud voice, "O, Sir Harry Vane! Sir Harry Vane! you might have prevented this; but you are a juggler, and have not so much as common honesty. The Lord deliver me from Sir Harry Vane!" And then, as the members passed out, he flung accusations against each. "Some of you are drunkards," and his eyes glared on Mr. Challoner, a man addicted to the bottle. "Some of you are whoremasters; living in open contempt of God's commandments; following your own greedy appetites, and the devil's commandments;" and he glared again on Martin and Wentworth, lewd livers both. "Corrupt, unjust persons," and here he glanced at Whitelocke. And so to all, as they still sat in astonishment and fear, or passed by him out of the house; they were all "scandalous to the profession of the Gospel—how could *they* be a parliament for God's people?" He again repeated what he had said in the beginning to St. John, how that he had prayed the Lord not to put this work upon him; of which Alderman Allen took advantage to say it was not yet too late to undo what he had done. But Cromwell instantly charged him with peculation, and gave him into custody. When all were gone, he went up to the speaker's table, and fixed his eye upon the mace. "What shall we do with this bauble?" he said. "Here, take it away." He then took the act of dissolution from the clerk; ordered the doors to be locked, and, accompanied by the military, returned to Whitehall *

16. "The Little Parliament." The expulsion of the Long Parliament awakened no feelings of regret in the nation. "We do not even hear a dog bark at their going," said Cromwell, in his coarse delight at their fall. On the contrary, congratulatory addresses were sent to him from the armies in all the three countries, from the fleet, from many of the counties and corporations, and, especially, from the various congregations of saints throughout the kingdom. He lost not a moment, indeed, in attempting to gain public approval of his conduct. He and the council of officers published a Vindication of their proceedings, and then called a meeting of the principal men, both soldiers and civilians, where it was decided that a new parliament should be summoned, and that, in the meantime, a council of state, New council of state. consisting of thirteen members, "as symbolical of Christ and his twelve apostles," should be appointed to conduct the government. Cromwell was made president of this new

* Lingard, X., 394-395; Guizot's Cromwell, 210-212.

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council, and, in that capacity, he issued summonses (June 6th) for the assembling of a new parliament—a parliament, however, which was to be altogether original in its constitution, and not to be a purely representative assembly. The congregational churches throughout the country sent up returns, containing the names of the persons, “faithful, fearing God, and hating covetousness,” who were deemed qualified for the trust, and out of these the council, in the presence of Cromwell, selected 122 representatives for England, and 17 for Wales, Scotland, and Ireland, to each of whom a writ of summons was sent.

Hume speaks of these men as being, for the most part, “low mechanics, Fifth-monarchy men, Anabaptists, Antinomians, Independents—the very dregs of the fanatics.”* The members not low mechanics. But this was not the case. Some persons of inferior rank were certainly among them, but a large proportion of them were men of good family and of military distinction, and many of them, says Whitelocke, were gentlemen of fortune and knowledge;† and, observes one of their own number, “if all had not bulky estates, yet they had free estates, and were not of broken fortunes, or such as owed great sums of money, and stood in need of privilege and protection as formerly.”‡

On the 4th of July, these representatives met, to the number of 120, at Whitehall; and the lord general opened the proceedings in a long speech, vindicating his dissolution of the late parliament, and congratulating them upon the high office to which they had been called. The next day they devoted themselves to religious exercises, a proceeding which Hume ridicules, as incapacitating them for the business for which they had assembled. Among them was a leather dealer, of Fleet-street, called Praise-God Barbone. Barbone, whose name, in the estimation of Clarendon, Hume, and other Royalist writers, was another great scandal to the assembly, but who was none the less a man of piety, of understanding, and weight, and even of considerable private capital.§ By his side sat Admiral Blake; Francis Rouse, Provost of Eton,

* Hist., VII., 228.

† Hallam, I., 661, Note.

‡ Lingard, XI., 6, Note; see also Guizot's Cromwell, 225.

§ The Christian name Praise-God, and other Puritan names cited by Hume, are mentioned by him and other writers of his class, as proofs of fanaticism. But these names are scarcely more fanatical than Deodatus, a name to be found in the records of every country in Europe; or than Timotheus, which, indeed, is the classic translation of Praise-God. The list of the jury, given by Hume (VII., 230), is, however, a fiction, being a mere piece of *mauvaise plaisanterie* on the part of his Royalist authority. (See Godwin's Commonwealth, III., 524).

who was chosen speaker; Montagu; Howard; Ashley Cooper, and others, whose aristocratic names bespeak them to have been not the lowest and most ignorant of men.*

The members began by voting themselves a parliament, and removing their sittings to Westminster, where they received and solemnly read an instrument signed by Cromwell and the council, by which they assumed the supreme authority, and bound themselves to dissolve on the 3d of November, 1654, three months before which date they were to name their successors. They then proceeded vigorously to the reformation of what they deemed the most essential grievances. They voted the abolition of the Court of Chancery, and nominated a set of commissioners to preside in courts of justice, but would only admit two lawyers among them, while upon their committee for the reform of the law they would not admit one. They enacted that marriages should be solemnised by the civil magistrate alone, abolished tithes, and did away with advowsons, by vesting the choice of the minister in the parishioners. They also considered the laws for the amelioration of the poor, and the relief of prisoners for debt; they sought to promote education; and discussed the union of England and Scotland, the financial condition of the kingdom, and the colonies in Ireland. But their revolutionary intentions gave great offence and alarm, especially to the lawyers and the clergy; and every Monday during the session two Anabaptist preachers propounded the most extraordinary doctrines in Blackfriars, to numerous bodies of fanatics and Fifth-monarchy men, whose leader, General Harrison, had proposed a resolution in Parliament, that "The saints should take possession of the kingdom, and keep it." All this led men of station and property to regard Cromwell as the only power able to preserve order, and to prevent anarchy: he became the sole refuge of those who valued the laws, the regular ecclesiastical ministry, and their own estates, all of which were in peril from the mad enthusiasts who were in hopes to prevail.† This, in fact, was Cromwell's policy. The last vote regarding the ministry furnished him with a favourable opportunity, and, on the 12th of December, his friends mustered in considerable numbers at an early hour, and a vote was carried that the parliament should, by a formal deed, resign its power into the hands of Cromwell. This resolution was acted upon instantly; the speaker, followed by

The pro-
ceedings.

Cromwell
the sole
preserver
of order.

* Knight's Pop. Hist., IV., 163; Carlyle's Cromwell, II., 324-5.

† Hallam, I., 660.

1653-54

about forty members, went to Whitehall, and there tendered their resignation; in the course of a few days the majority of the members did the same; and on the 16th of December, Oliver Cromwell was solemnly inaugurated in the Court of Chancery, Westminster Hall, "Lord Protector of England, Scotland, and Ireland." The *Instrument of Government*, as the deed was called, by which his authority was established, consisted of 42 articles, and made him anything but a dictator.

The Parliament resigns its powers to Cromwell by the instrument of Government.

1. The sovereignty was to reside in parliament, whose acts, at the end of twenty days, should become law, without the consent of the Protector, unless he could persuade the house of the reasonableness of his objections.

2. The Protector had thus no royal right of placing a veto upon the acts of parliament; but he had the power of making temporary ordinances, until the meeting of parliament. A council of state was to assist him in the government. His office was to be enjoyed for life, but not to be hereditary.

3. Parliament was not to be adjourned, prorogued, or dissolved without its own consent, within the first five months after its meeting.

4. Parliaments were to be triennial, and the number of members to be 460; 400 for England, and 30 each for Scotland and Ireland. The number of county members was increased, that of borough members decreased; and every person possessed of real or personal property worth £200 had a right to vote, unless he were a Malignant, Delinquent, or Roman Catholic.

5. Laws could not be made, nor taxes imposed, without consent of parliament.

6. All who professed faith in God, by Jesus Christ, were to be protected in the exercise of their religion, except prelatists, papists, and those who taught licentiousness under the pretence of religion.*

SECTION II.—THE PROTECTORATE OF OLIVER CROMWELL.—1653-1658.

17. **Royalist Conspiracies against the Protector.** The Protector's first act was to revive the forms of monarchy. He issued new patents to the judges, as on the occasion of a succession to the crown; he appointed the members of his council, and the chief officers of state; Thurloe was named secretary; and Meadows became Latin Secretary, instead of Milton, who, however, was soon restored to his office. The army received due attention; the engagement or vow of allegiance to the Commonwealth was repealed; offences of treason were clearly defined; England and Scotland were incorporated; the proceedings of the Court of Chancery were simplified; commissioners were appointed

The Protector's first measures.

* Lingard, XI., 16-19; Forster's Lives, VII., 223-228; Carlyle, II., 370-372.

to approve of public preachers, and to eject scandalous, ignorant, and indifferent preachers, *e.g.*, those who held atheistical or other execrable opinions; who were guilty of any profaneness, immorality, gambling, or tavern-haunting; who encouraged Whitsun ales, morris dances, Maypoles, stage plays, &c.; who read the Book of Common Prayer, were non-resident, or generally negligent of their duties, and scoffed at religion.*

There were many, however, among Oliver's old friends, who looked upon his government with the utmost abhorrence. He treated these with both leniency and severity; removing some from their offices both in the army and the Church; binding others over for their good behaviour; and incarcerating some in

the Tower, among whom was Harrison. There were men ^{His} _{enemies.} in all classes, in short, who were inimical to the new government; the great contest had become, as Whitelocke had predicted, purely personal; and intolerant Episcopalians, equally intolerant Presbyterians, frantic Anabaptists, Cavaliers, and Republicans, were all opposed to the one man in whom all the ruling power was now concentrated. But that power was more vigilant, more far-seeing, more difficult to shake, than any which had yet existed; foreign governments recognised and dreaded it, for he who wielded it was bent upon sustaining the glory of his country, and upon consolidating its internal peace. Master of his army, which he well knew how to manage, surrounded by a few deep but experienced counsellors, furnished by his spies with the completest intelligence of all designs against him, he had no great cause of alarm from open resistance.† Yet he was surrounded with conspirators, and the Royalists abroad openly preached the doctrine of assassination. The court of Charles at Paris issued a proclamation, in April, 1654, authorising any one to murder Oliver, and so "do an act acceptable to God and man," and a con-

spiracy for this purpose, called Gerrard's Plot, was actually ^{Gerrard's} _{Plot.} discovered, and three out of forty persons implicated were executed. The French ambassador was acquainted with this conspiracy, and Cromwell sent him home, with a message to Louis XIV., full of true magnanimity, in which he sacrificed his own personal resentment to the national welfare, desiring that the negotiations then pending between the two countries might still go on, without any considerations on his part of France giving shelter to the conspirators, or of Cardinal Mazarin instigating the ambassador. At the same time, to show that he did not fear the

* Forster's Lives, VII., 234. † Hallam, I., 663.

1654

continental powers, he caused Don Pantaleon de Sa, the brother of the Portuguese ambassador, and an attaché of the embassy, to be executed for tumult and murder, in spite of all the diplomatic privileges which, it was alleged, shielded him from punishment by an English tribunal. *

Cromwell was not afraid of the continental powers.

18. Conclusion of the Dutch War. The war with Holland still continued, though ambassadors were constantly passing between London and the Hague, in order to effect an accommodation. Cromwell had removed Blake, whose staunch republicanism he distrusted, and had appointed Monk to the command of the fleet. That great admiral magnanimously submitted to his degradation for the sake of his country; and he no sooner heard of Cromwell's assumption of power than he issued this memorable order throughout the fleet, that "it was not the business of seamen to mind state affairs, but to keep foreigners from fooling us." The Dutch had thought to profit by this change and the domestic troubles of their enemy; Van Tromp had his fleet refitted, and, while Blake was protecting the northern fisheries, he suddenly attacked Monk and Dean, who were cruising between Nieuport and the North Foreland (June 2nd). The action continued the whole day; and the English had to lament the loss of Admiral Dean, a man who was worshipped by the seamen, from the midst of whom he had sprung, by his bold and excellent conduct. During the night Blake arrived with eighteen ships, and the battle was renewed next morning. Van Tromp fought with the most determined courage; but Blake's arrival sent a panic through his fleet; his orders were disobeyed; several of his captains fled from the superior fire of their opponents; and he was ultimately obliged to seek shelter within the Wielings, and along the shallow coast of Zeeland. Eleven of his ships had been captured; eight were sunk, and two blown up; he had left 1,300 prisoners in the hands of the victors; and his number of killed and wounded was great in proportion. Cromwell received the news of the victory with transports of joy. Though he could claim no share in the merit (for the fleet owed its success to the exertions of Vane and the government which had been overturned), he was aware that it would shed a lustre over his own administration, and the people were publicly called upon to return thanks to the Almighty for so signal a favour.

Van Tromp again defeated by Monk and Blake.

The Dutch, on their part, found that their enemy was too

* Lingard, XI., 21-23; Guizot's Cromwell, 239-245; Forster's Lives, VII., 242-246; Godwin's Commonwealth, IV.

powerful for them, and, mortified as they were at the loss of their naval supremacy, they sent ambassadors to England, and anxiously solicited peace. The Protector received their proposals coldly; he demanded more than they were willing to concede; but, in the midst of the negotiations, another battle was fought, and another victory won by England. Van Tromp had no sooner repaired his fleet, than he again put to sea to redeem the honour of his flag. Monk was blockading the entrance of the Texel; and on the evening of the 29th of July, the two fleets, each comprised of about 100 sail, met near the Dutch coast. Monk issued a memorable and characteristic order to his captains, that "no English ship should surrender to the enemy, and that they should accept no surrender of the vessels against which they fought. Their business," he said, "was not to take ships, but to sink and destroy to the utmost extent of their power." The first evening's encounter was indecisive, and squalls prevented a battle on the succeeding day. But on Sunday (July 31st), the battle raged fearfully; in the midst of it Van Tromp was shot in the heart, and he fell dead without speaking a word; the Dutch then began to waver; in a short time they fled, and the pursuit continued till midnight. On the English side few ships were lost, but more than 1,300 men were killed and wounded; while the Dutch lost more than 30 ships and 1,200 prisoners, besides a considerable number of killed and wounded.

This signal defeat compelled the Dutch to hasten the negotiations for peace. The conditions which Cromwell exacted were moderate. He did not insist upon any indemnification for the expenses of the war, for the incorporation of the two states, the right of search, the sole right to the fisheries, or the exclusion of the Prince of Orange from the office of stadtholder—terms which had been demanded by the Long Parliament; but he stipulated that neither state should harbour the enemies of the other, and that the flag of the Commonwealth should be saluted as the royal flag had been heretofore. Some minor details, as compensation to the English East India Company and the Baltic traders, for their loss of trade, and to the heirs of those who were massacred by the Dutch at Amboyna, were left to arbitration (April 5th, 1654). This treaty with Holland comprehended Denmark, the Hanseatic Towns, and the Swiss Protestant Cantons, all which states had been in alliance with the Dutch during the war. At the same time, however, the Protector signed a secret treaty, by which the states of Holland and West Friesland pro-

Van
Tromp's
last defeat,

The Dutch
conclude a
treaty of
peace.

1654

mised never to elect the Prince of Orange for their stadtholder, nor to suffer him to have the chief command of the army and navy. Cromwell's object in this was to make the Prince incapable of benefitting the royal cause, and he obtained the agreement through the influence of the Louvestein, or republican party in Holland.*

19. **Cromwell's Foreign Policy.** When the republican government was established in England, the two chief powers of the continent, France and Spain, were in eager rivalry with each other, were placed in very different positions, and animated by very different sentiments. Spain, though still retaining the prestige of her former greatness, was rapidly declining; the empire of Germany no longer belonged to her; she had lost the United Provinces; her dominion in Italy was limited; a conspiracy had, in one day, robbed her of Portugal; only in the New World did her possessions still continue to be immense. The Spanish government felt itself to be weak, and, therefore, cultivated a peaceful policy. France and the house of Bourbon, on the contrary, were advancing together, with bold and rapid progress; a potent spirit of activity and ambition animated both the counsels of the crown and the various classes of the citizens; a fondness for great designs and striking enterprises everywhere prevailed; and Cardinal Mazarin, the prime minister, constantly observed the same policy that Henry IV. and Cardinal Richelieu had practised. Between these two powers England might have held the position she did when Henry VIII. and Wolsey ruled her destinies; but the statesmen of the Commonwealth failed to hold the balance; and, although they affected neutrality, they displayed neither firmness, ability, nor good sense, in their relations with the two powers. Cromwell, however, adopted a more prudent policy. Knowing that the war between them was the sole cause of their anxiety for his good will, he was in no haste to conclude with either; he was fully aware that he held the balance in his hands, and that it was in his power, at any time, to incline it in favour of either of the two crowns; he, therefore, acted accordingly. To all the flattering messages and promises of the Spanish King (Philip IV.) he returned no answer; but, when a treaty of alliance was offered him to sign, he demanded that the trade to the West Indies should be free; that Englishmen in the Spanish dominions should be protected in the exercise of their religion against the Inquisition; and that English merchants should have the

Relative positions of France and Spain in European politics.

Negotiations between Cromwell and the King of Spain.

* Lingard, XI., 32-36; Guizot, 249-259.

pre-emption of the Spanish wool. The ambassador replied that his master would as soon lose his two eyes as grant the first two of these demands, on which Cromwell declined any further negotiations at present. Those with France led to a more favourable issue; for the Protector had already decided that the alliance of France was preferable to that of Spain; and, although no treaty was concluded in the first year of the Protectorate, and no hostilities were offered to Spain, it soon became manifest that the disposition of the Protector was to reject the alliance of that

power which was the most devoted adherent of Rome. Two fixed principles guided his foreign policy; peace with the United Provinces, and an alliance of the Protestant states; both of which were, in his eyes, the vital conditions of the safety and power of his country in Europe, as well as of his own safety and power in his own country, and in Europe.*

20. The Protector's first parliament. With his foreign relations thus established on a satisfactory foundation, and civil order restored at home, Cromwell deemed himself in a position to face, without danger, the trial imposed upon him by the seventh article of the Instrument of Government. He, therefore, issued writs for the election of a new parliament, to meet on the 3d of September, 1654, the anniversary of Dunbar and Worcester, and his fortunate day. He opened his proceedings in an elaborate speech, in which he explained all his measures, and gave an account of the state of the country, past and present.

At the close of the last parliament, the kingdom was agitated by the principles of the Levellers, tending to reduce all to an equality; by the doctrines of the Fifth-monarchy men, subversive of civil government; by religious theorists, who, pretending to be the champions of liberty of conscience, condemned an established ministry as Babylonish and Antichristian; and by swarms of Jesuits, who had settled in England an episcopal jurisdiction to pervert the people. At the same time the naval war with Holland absorbed all the pecuniary resources, while a commercial war with France and Portugal cramped the industry of the nation. Now, however, the taxes were reduced; judges of talent and integrity sat upon the bench; the Court of Chancery was purified, and many descriptions of causes were transferred from it to the ordinary courts; "a stop had been put to that heady way for every man who pleased to become a preacher;" the war with Holland had terminated in an advantageous peace; treaties of commerce and amity had been concluded with Denmark and Sweden; a similar treaty, which would place the British trader beyond the reach of the Inquisition, had been concluded with Portugal, and another was in progress with the ambassador of the French monarch. Besides all which, there had now assembled, for the first time these fourteen years, a free parliament. Thus the govern-

Cromwell's
speech at the
opening of
the session.

* Guizot's Cromwell, 253.

1654

ment had brought them by hasty strides to the Land of Promise; it was for them to enter in. He spoke not as their lord, but as their fellow servant in the same good work. And so he desired them to repair to their house, elect their own speaker, and proceed freely.*

But there were among the members many Republicans and Presbyterians, who were violently opposed to the Protector, and upon whom his words, marked by so much good sense, had no impression. His exhortation that they had met for the purpose of "healing and settling" had no influence upon them; there was one sore which they considered would admit of no healing—the supremacy of one man in the state. Their idea of a Commonwealth was that of a permanent assembly, like the Long Parliament, in which all the elementary principles of government should be perpetually discussed; all the relations of the state to foreign powers debated and re-debated; all the religious animosities of unnumbered sects continually inflamed by alternations of intolerance and liberality, according to the vote of the hour.† The leaders of this opposition were Bradshaw, Haselrigg, and Scott; and, as soon as the speaker (Lenthall) had been elected, they brought forward the question whether the house should approve of the government being in a single person, or in the parliament. According to the Instrument of Government and the terms of the writ for election, the members had no power to consider this question, or to alter the existing form of government, nevertheless they continued to debate it for three days, and, by a majority of 146 votes against 141, resolved to go into committee, and deliberate still further upon this fundamental proposition. But Cromwell now interfered, and summoned them to attend him in the Painted Chamber, where, laying aside that tone of modesty he had hitherto assumed, he frankly told the members that his calling was from God, his testimony from the people; and that no one but God and the people should ever take his office from him.

Refractory
temper of
the house.

Cromwell
remon-
strates
with them.

He then reviewed the past, showing how, on every occasion, power had thrust itself upon him; and that God was his witness above, his conscience a witness within, and the people witnesses without, that he did not bring himself into his present position. Even they themselves were his witness, for they came there in obedience to his writs, and under the express limitation that they were to have no power to alter the government. He would, therefore, have them know that four things were fundamental: 1. That the supreme power should be vested in a single person and parliament. 2. That the parliament should be successive, and not perpetual. 3. That neither Protector nor parliament alone should possess the uncontrolled command of

* Carlyle, III., 18-37. † Knight's Pop. Hist., IV., 184.

the military force. And 4. That liberty of conscience should be fenced round with such barriers as might exclude both profaneness and persecution. The other articles of the Instrument were less essential, and might be altered with circumstances; but he would not permit them to sit, and yet disown the authority by which they sat. For this purpose, he had prepared a recognition for them to sign; those who refused, would be excluded from the house; the rest would find admission, and might exercise their legislative power without his control, so long as they observed the new constitution.

The recognition was placed at the lobby door of the house; it pledged the subscribers neither to propose nor consent to the alteration of the government, as it was settled in one person and the parliament. In the course of a few days three hundred signed it; but the republican leaders refused to give any pledge; and the parliament was thereby reduced to little more than two-thirds of the members returned. Thus mutilated, the house resumed its duties; but its first act showed that all opposition had not been removed, and it was resolved, that the pledge the members had taken did not extend beyond the first article of the *Instrument*. They then went on to discuss the remaining articles, with such heat and prolixity, that after five months, the limited term of their session, the Protector having been further disappointed by the great majority of 200 to 60, which voted the protectorate to be elective and not hereditary, dissolved the parliament, with no small marks of dissatisfaction (January 22nd, 1655).

It is impossible for any impartial inquirer to arrive at any other conclusion, than that Cromwell's dissolution of this parliament was the only course open to him. It was natural enough that attempts should be made to apply every check to arbitrary authority in the Lord Protector; but he had not yet shown any disposition to govern absolutely, or to rule with tyranny; his genius was too well fitted for authority, and he knew the art of good government too well, for that. Yet they showed a marked distrust of him, and a strong disposition to nullify his influence, and this at a time when very large questions were depending with foreign powers, and when their legislative sanction to the necessary reforms which he had proposed, and partly effected, was peremptorily required. Instead of considering these measures, they suspended them, that they might dispute about the institution of government, and thus stultify the executive by perpetually discussing the grounds of its authority. Although bills for the celebration of marriage; the treatment of lunatics; the relief of prisoners for debt; and the equalisation of the taxes,

No one to sit except he gives a pledge.

Cromwell had no other alternative but to dissolve the parliament.

1655

were introduced, none were adopted; they outraged the principles of toleration which Cromwell had established, by appointing a committee to consider what was "faith in God by Jesus Christ," and to settle what were "damnable heresies"; they even ordered several heretics to be imprisoned, one of them being John Biddle, a schoolmaster, and the reputed father of the English Unitarians. They voted the supplies tardily, and with an impolitic economy, as if the foreign affairs of the country had been conducted with dishonour, instead of a dignity before which all nations bowed. It was thus manifest that the parliament had blindly set itself to obstruct the honest exercise of authority; but Cromwell was conscious of his own strength; he had faithful public servants, like Blake, whose devotion to their country was not weakened by the quarrels of factions; and whatever difficulties, he said, when he dissolved the parliament, should beset him, he trusted to God, who had never yet failed him, to overcome them.*

21. **Republican and Royalist Conspiracies.** In his speech dissolving the parliament, Cromwell alluded to certain conspiracies which had been generated by the impatience of the two opposite parties, Republicans and Royalists. The first embraced projects for the surprise of the Protector's person, and for the seizure of Edinburgh Castle, Hull, Portsmouth, and other fortresses. But spies, employed by Thurloe, the secretary, were in every regiment, and no movement occurred that was not previously known. All officers of doubtful fidelity were at once dismissed; every regiment was purged of its questionable men; Colonel ^{The army is "purged."} Wildman was surprised in the very act of dictating to his secretary a hostile and inflammatory declaration against the government; and Lord Grey, of Groby, Colonels Alured, Overton, and others, were arrested, of whom some remained long in confinement, while others were permitted to go at large on their giving security for their good behaviour (February, 1655). The Royalist plot, though more extensive, proved equally harmless in the result. It was headed by Wilmot, just then created ^{The Royalist conspiracies under Wilmot and Wagstaff.} Earl of Rochester, Sir Joseph Wagstaff, and others. The first was to raise the northern Royalists, the second the western; and it was arranged that Charles should proceed from Cologne, where he was then residing, to Middleburg, there to hold himself in readiness to cross over to England. Clarendon insinuates that the existence of all these designs, without the knowledge of Cromwell, was a proof of the general aversion in

* Guizot, 276-284; Knight's Pop. Hist., IV., 188-189.

which he was held. But Cromwell knew all about them, and it was his policy, as it is of all sagacious rulers, not to be too prompt with measures of repression—not to alarm and irritate the peaceful portion of the community by fears and suspicions, which rather tend to encourage insurrection than to allay it.* He allowed the conspirators to indulge in their own rashness; and the event soon showed how justly he had measured his own strength, and that of the Cavaliers, who, says Clarendon, were sure of success. For a few hours, Wagstaff held Salisbury, and arrested the sheriff and judges, who were then holding the assizes (March 11th); but no one joined him; as he marched through Devonshire, his hopes grew fainter every hour, and, at Southmolton, a single troop of Cromwell's horse, which happened to be in the neighbourhood, dispersed his followers, almost without a blow. He escaped to France; but three of his captains were taken and executed, and about fifty of his men sent to the West Indies. As for Rochester, he never succeeded in raising anything like an army, and slunk back to the continent.†

22. **The Major-Generals.** If these insurrections had been Cromwell's only troubles, his task would have been an easy one. But he had to face two of the greatest difficulties that can beset any government—an inadequate public revenue, and an army on which he could not firmly rely. In order to meet these difficulties, and also for the purpose of maintaining the public peace, and repressing Royalist plots, he resolved to establish in every county a local militia, composed of men whom he determined to select himself, and to pay well. To effect the latter, he proposed to levy a property tax of one-tenth upon all Royalists who had any estates left; and for the complete organisation of the militia, and the collection of the tax, he divided the country into twelve districts, each under the authority of a major-general. Each major-general was a sort of military magistrate, who had authority to raise the militia in his district; to levy all public taxes; to suppress tumults and insurrections; to disarm all Papists and Cavaliers; to inquire into the conduct of ministers and schoolmasters; and to arrest, imprison, and bind over all dangerous and suspected persons. Cromwell instituted this despotic measure by a partial and almost imperceptible experiment. His brother-in-law, Desborough, was the first one appointed, in the south-west, soon after the western insurrection; and, in the course of a few weeks, Fleetwood, who had just

The
decimation
tax.

* Knight, IV., 190.

† Lingard, XI., 50-3; Carlyle, III., 97-100.

1655

returned from his government of Ireland, Lambert, Whalley, Skippon, Goffe, and others, were appointed in the rest of the kingdom. Some of these major-generals, doubtless, displayed great rapacity and oppression; but, for the most part, they were men carefully chosen for their moderation and wisdom, and the country generally submitted quietly to their rule.* The measure was unconstitutional and arbitrary; but then it was very necessary for the time, and, on the whole, beneficial. Among those who suffered under it may be mentioned Cleveland, the poet, and Jeremy Taylor, who was imprisoned in Chepstow Castle.

While Cromwell was thus repressing, with a stern hand, both Royalists and Republicans, his government was more than usually harsh towards the Catholics and the episcopal clergy. The former were generally mixed up with the plots against the Commonwealth, and the harshness towards them was the practical continuance of the spirit of the penal laws. The latter were persecuted at the instigation of the Presbyterians, in spite of the Protector's own ardent desire for toleration; one of the most odious measures against them being an ordinance which prohibited them to act as tutors in private families. Archbishop Usher, for whom Cromwell entertained deep respect, remonstrated against this ordinance, and it was not enforced. Prejudices, in fact, were too strong to allow the Protector to act upon his own principles of religious toleration; but he was determined, at all risks, to keep the animosities of the various sects under the control of equal justice, and when he opened parliament, in 1656, he distinctly declared this.†

Cromwell
the advocate
of religious
toleration.

23. Blake's Exploits in the Mediterranean. Penn's Capture of Jamaica. During these domestic occurrences, two armaments had been fitted out at Portsmouth, to the great dread of France and Spain. Both now sailed, one under Blake, the other under Penn and Venables (1654). The former made for Gibraltar, and thence proceeded up the Mediterranean, capturing French vessels, under pretence of reprisals, and seeking in vain for the fleet under the Duke of Guise. He appeared before Leghorn, and demanded and obtained, from the Grand Duke, redress for the owners of three merchant vessels, which Rupert had captured and sold in the Tuscan ports. He then compelled the Deys of Algiers and Tripoli to release their Christian captives; and when the former refused, and pointed to his fortresses, Blake, nothing daunted, burst into the harbour, battered the

Blake
in the
harbour of
Tunis.

* Carlyle, III., 101; Hallam's opinion (I., 699-671), does not coincide with that here expressed.

† See Carlyle, III., 181-182.

fortresses to pieces, and burnt the piratical fleet in its moorings. These exploits spread the terror of the English navy throughout the south of Europe; and the Protector's favour and alliance were sought by the chief princes and states. The great object, however, of Blake's expedition, namely, the capture of the Spanish Plate fleet failed, for the Spaniards discovered his purpose, and detained the fleet in the harbour of Carthagea (August, 1654).

In the meantime, the other expedition, under Penn and Venables, had sailed, under secret orders, for the West Indies. They spent several weeks among the English settlements in those islands; and on the 14th of April, appeared before Hispaniola. The army, under General Venables, was composed of 10,000 men, of whom 7,000 were slaves in the plantations, and the rest troops from England. His attack upon St. Domingo lamentably failed; and the commanders, who had lost everything by their disputes and utter incompetency, then attacked Jamaica, which they subdued. The value of this conquest was then little estimated; the fertility of the island was thought a small compensation for the loss of the supposed treasures of Hispaniola; and when Penn and Venables returned home, the Protector sent them both to the Tower. But Cromwell's far-seeing sagacity soon perceived that Jamaica gave England a solid footing in the West Indies, and was a most important acquisition; he sent careful instructions to Major General Fortescue, who had been left in charge of the island, to fortify himself, and be always prepared for the Spaniards, and he also sent supplies, and promised more. Under these circumstances, Penn and Venables were very soon released.

The capture
of Jamaica
valued only
by Cromwell.

24. **Cromwell and the Vaudois.** The power and influence of the Commonwealth were, at this period, most signally called forth, by an occurrence which was no special injury or affront to the nation, but which more deeply moved the heart of Puritan England than any event since the Irish massacre. For many centuries, there had dwelt in the three obscure valleys of Piedmont, namely, Lucerna, Perosa, and St. Martin, a race known as the Vaudois, or Waldenses—the people of the valleys, who, from the earliest times, had kept separate from the Church of Rome. Before the Reformation, Pope Innocent VIII. had issued a bull for the extermination of these pious, inoffensive people; but when they declared that their ancient faith was similar to that of Luther and Calvin, and the Reformers, they were more bitterly persecuted, sometimes by France and

Opposition
of the
Vaudois to
the Church
of Rome.

1655

sometimes by Savoy. In 1654, the Duke of Savoy undertook to convert them, but the friars he sent as missionaries failed to convert anyone, and one of them was found assassinated. Thereupon, the duke sent another quality of preachers, in the shape of six regiments of Catholic soldiers, with an order to the people of the valleys either to be converted straightway, or to quit the country at once. Their wholesale conversion, at so short a notice, was impossible, had they been ever so inclined; neither could they easily quit the country, for it was the middle of winter, and their love for their Alpine homes burned with that patriotic ardour which is only to be found amongst a nation of mountaineers. On this, there ensued severe contests between them and the ducal troops, in which fearful cruelties were committed by the Piedmontese soldiers, and by mercenary Irish and French in the service of the Duke of Savoy. People of all ages, sexes, and conditions, were massacred, hanged, burned, and violated, and all the prisoners were murdered who would not abjure their faith. The instant that Cromwell heard of this dreadful transaction, he was "roused into sacred fire," and he proceeded to avenge the wrongs of the poor Vaudois in a manner which was worthy of the justice and sacredness of the cause. Milton, whose sublime sonnet has for ever rendered this massacre memorable, conducted the negotiations.* Cromwell sent an envoy extraordinary to Louis XIV. and the Duke of Savoy, with letters of remonstrance; he called upon all Protestant princes for assistance in demanding justice for the sufferers; he authorised a general collection over England for them, himself contributing £2,000; and he appointed a day of humiliation. France was most anxious to conclude a treaty of peace and commerce with England, and it was to have been signed on the very day the news came (June 3rd, 1655), but the Protector declared that he would not sign it till the French court had procured from the Duke of Savoy the restoration of the Vaudois

The Duke of Savoy attempts to exterminate them.

Milton's sonnet, and Cromwell's despatch.

- * Avenge, O Lord, thy slaughtered saints, whose bones
Lie scattered on the Alpine mountains cold;
Even them who kept thy truth so pure of old,
When all our fathers worshipped stocks and stones,
Forget not; in thy book record their groans
Who were thy sheep, and in their ancient fold
Slain by the bloody Piedmontese that roll'd
Mother with infant down the rocks. Their moans
The vales redoubled to the hills, and they
To heaven. Their martyred blood and ashes sow
O'er all the Italian fields where still doth sway
The triple tyrant; that from these may grow
A hundredfold, who having learned thy way,
Early may fly the Babylonian woe.

to their ancient liberties. In vain did Bordeaux, the French ambassador, remonstrate against this pretext, and maintain that it bore no relation to the matter of the treaty. In vain did the King of France say that he would never interfere with the internal administration of an independent state; and still more vainly did he hold that the duke of Savoy had a right to do what he liked with his own subjects. Cromwell sternly demanded justice; and the French minister at Turin was compelled to insist upon the duke concluding an immediate pacification with the Vaudois, and restoring them to their ancient civil and religious liberties. The earnestness with which the Protector thus insisted upon recompense and justice being given to the poor Protestants of the Alps, raised his fame throughout Europe, and even those who hated the Commonwealth acknowledged that England had never stood higher than she did now.*

25. War with Spain. The treaty with France which was signed soon after these proceedings (October 24th), provided that France should indemnify English merchants for injuries to their commerce; that the allied forces should undertake the capture of Dunkirk, which should be ceded to England; and that Charles Stuart, his family, and his court, should be forever excluded from the French territory. Of the Stuarts, the Duke of York alone was then in France; and Cromwell, at the request of Mazarin, consented to his remaining there, a concession which the duke repaid, by proposing to his brother, within a few days after, the deliberate murder of the Lord Protector. The letter containing the proposition was intercepted by Thurloe's agents.†

This alliance with France necessarily caused a rupture with Spain, and it gave occasion to new movements of Royalists, and new combinations of Republicans. Charles, at this time, was living in dissolute poverty at Cologne, caring more for Lucy Walters and his numerous mistresses, than for state concerns; and laying no burden on his conscience when he had to make some contrary pledge to Presbyterian or Papist, openly to the one, or in secret to the other. He was somewhat roused from his licentious idleness when the war between England and Spain broke out. He repaired to Brussels, and offered himself as a valuable ally to the Spanish monarch. At

Cromwell
compels
France to
see that the
Vaudois
are restored
and
protected.

Treaty
with
France.

Prince
Charles
offers his
alliance to
Spain.

* Carlyle, III., 103-104; Knight, IV., 197-198; Lingard, XI., 61-64.

† Forster's Lives, VII., 316-317.

1656

the same time, Colonel Sexby, prepared with schemes of conspiracy and assassination, joined the councils of Charles and the Spanish minister.

This conspirator, who, with Colonel Wildman, was one of the most violent leaders of the Levellers, had risen from the ranks to the post of adjutant-general in the parliamentary army, he had sat in the councils and been on the most intimate terms with Cromwell. Having distributed pamphlets against the Protector's government, and raised up enemies to it all over the kingdom, he was compelled to escape to the continent. He repaired to the court at Brussels, revealed to it the real object of the secret expedition, under Penn and Venables, and offered the aid of the English Levellers for the destruction of the Protector. Thence he proceeded to Madrid; obtained large supplies of money for his adherents; crossed over to England to make his arrangements, and then returned without having been discovered.

Colonel
Sexby's
schemes.

It now became the object of the Spanish ministers to effect a union between Charles and Sexby, that, by the co-operation of the Royalists and the Levellers, the common enemy might more easily be subdued. But here there arose a difficulty as to the ultimate aims of two such incongruous allies; Charles was willing to make use of Sexby and the Levellers, yet feared them because of their determined hostility to royalty; while they were ready to ally themselves with any one, that they might succeed in destroying the Protector. In April, 1656, the Spanish King concluded a treaty of alliance with Charles, promising him a pension and an army; and Charles engaging that, with the aid of the Irish serving in the French army, he would invade England. The war between England and Spain, however, proceeded but languidly for a time; but on the 15th of March, 1656, Blake and Montague were sent in a second pursuit after the Plate fleet. Their destination, in the first place, was Cadiz, in order to destroy the shipping in the harbour, and to make an attempt on that city, or the rock of Gibraltar. But they could not obtain a pilot to conduct them through the winding channel of the Caraccas; and the defences of both Cadiz and Gibraltar presented too formidable an aspect to allow a hope of success without the co-operation of a military force. They, therefore, abandoned the attempt, and sailed to Lisbon, where they extorted from the Portuguese monarch the sum of £50,000, in accordance with the late treaty. Thence they returned to Cadiz, passed the Straits, insulted the

Exploits of
Blake and
Montague
on the
Spanish
coast.

Spaniards in Malaga, the Moors in Sallee, and, after two months' cruise, anchored a second time in the Tagus. During their stay in this river, one of their captains, named Stayner, with a squadron of frigates, fell in with a Spanish fleet of eight sail from America. Of these he destroyed four, and captured two laden with treasures. Montague was at once sent home with the prize, and the people crowded the roads and streets from Portsmouth to the Tower, to watch the procession of thirty-eight waggons, laden with ingots and piastres, worth more than £350,000.*

26. Cromwell convokes another Parliament. For more than eighteen months Cromwell had governed arbitrarily and alone; but his strong good sense warned him that absolute power soon wears itself out; and that, although blessed with good fortune, no man can long govern in isolation, and without supporters. The war with Spain had already involved him, and threatened to involve him still more deeply in expenses, which he would be unable to meet without fresh taxes. He perceived the necessity of his position; and he believed that after so many successes, the day had come for establishing a permanent order of things.† He, therefore, convoked another parliament, to meet on the 17th of September, 1656. The excitement which prevailed during the elections exceeded that of any previous occasion. Vane,

Excitement which prevailed during the elections.

Ludlow, Harrison, and the republican leaders, circulated pamphlets throughout the whole country, calling upon the electors to make a last struggle for their liberties, for the restoration of the sovereignty of the people, and the authority of a single assembly. The government, however, secured a majority, although Haselrigg, Scott, and many of its declared opponents, were elected. Vane, Harrison, and Rich were arrested and imprisoned; and, when the election returns were laid before the council, a list of 102 persons was made, who should be excluded, under the pretext of immorality and delinquency.

On the appointed day, the Protector, after divine service was finished, began the session with a long speech, in which he enumerated the evils under which the nation still suffered, and the remedies he considered advisable. By Royalist writers, this speech has been described as one of the most violent and fanatical addresses he ever made; but those who have studied the Protector's character well and impartially, account it as one of the most statesmanlike speeches to be found in the language.

The Protector's speech at the opening of the session.

* Southey's Admirals, V., 231-232. † Guizot's Cromwell, 357.

1656

The glory of God, he said, and His interest, was the foundation of the being and subsistence of these nations, and their dependencies. The chief dangers which threatened the country were the hostility of the Spaniards, the natural enemies of England, from whom no honest peace could be obtained, nor liberty of conscience even for English traders resident in Spanish dominions. An alliance with them was an alliance with the papists. Moreover, the Spaniards had now espoused the interests of Charles Stuart; and with these had allied themselves "persons who pretend other things," Anabaptists, Republicans, Levellers, so that the country had been troubled with insurrections and assassination plots. To meet these dangers, major-generals had been appointed; a measure which had been "much regretted," but which the stern necessity of the time demanded. Such being the evils, Cromwell then pointed out the remedies. These were, money for the vigorous prosecution of the war, the earnest devotion of parliament to the interests of the country and the stability of the government, and the reformation of laws, religion, and manners. Speaking on the last point, viz., the reformation of manners, he said that lately it had been a shame to a man to be a Christian; and that the profession of religion had been stigmatised with the name of Puritanism. "We would keep up nobility and gentry," he said; "but the way to keep them up is not to suffer them to be patronisers or countenancers of debauchery and disorders." These were wise words, and so also were those in which he spoke of the reformation of the law, indicating, as they did, greater powers of legislation in Cromwell than in any statesman before or since.*

As soon as the house began business the next day, a letter, signed by 65 of the excluded members, was received, complaining of their exclusion. A strong feeling of disapprobation was manifested in several parts of the house; the clerk of the commonwealth in chancery received orders to lay all the returns on the table, and when the council was requested to state the grounds of this novel breach of privilege, Nathaniel Fiennes, one of the commissioners of the great seal, pointed to the articles in the *Instrument of Government*, which provided that "no persons could be elected to serve in parliament but such as were of known integrity, fearing God, and of good conversation," and that the council had authority "to examine whether the persons elected were agreeable to these qualifications." The boldness of this admission prevented any further debate. A resolution was passed declaring the war against Spain to be just and politic, and £400,000 were granted for its support; the ordinances which the Protector had issued were, for the most part, confirmed, and his appointments to judicial offices approved; the major-generals were removed, the claims of the Stuarts to the crown formally annulled, and additional safeguards for the Protector's person provided.

Debate concerning the excluded members.

* Macaulay's Essays, I., 81-82; Carlyle, III., 189-196.

27. The Parliament persecutes the Quakers. The discussion of these questions was interrupted by the persecution of the Quakers, a new sect which had arisen during the civil war, and whom all parties combined in hunting down.

Their founder was George Fox, a weaver, of Drayton. At the age of nineteen he went to a neighbouring fair, where the revelry and dissipation led him to thoughts of seriousness and self-reproach; and having an enthusiastic mind, open to religious impressions, he fancied that an inward voice called him to forsake his father's house, to lead a solitary life, wandering from place to place, clothed from head to foot in leather garments. He read the Scriptures attentively, studying especially the Apocalypse, in which he persuaded himself that Christ and the Spirit taught him the real meaning. After passing through a stage of doubts and fears, he entered into a state of the most ecstatic delight, assured that his name was written in the Book of Life. He considered it profane to use any other language than that of the Holy Scriptures, to use the pronoun *you* as the second person singular, to uncover the head, or to show any deference to mortal being. In 1647 he preached, at the instigation of the Spirit, at Dukinfield, near Manchester; but the most fruitful scene of his labours was at Swarthmoor, near Ulverston. The number of his followers soon attracted the notice of the civil magistrate, before whom they refused to uncover the head, or to give evidence on oath. They also refused to pay tithes; all which peculiarities exposed them to numerous punishments, imprisonments, whippings, &c. As is always the case with persecuted sects, they were much calumniated; they were falsely charged with denying the Trinity, with disowning the authority of the government, and with attempting to debauch the fidelity of the soldiers. Their doctrine of spiritual impulses led many of them to extravagances which were often ludicrous and revolting. One William Simpson was "moved" several times to go naked and barefoot to markets, fairs, and great men's houses, as a sign unto them; and another, James Naylor, who had been quartermaster in Lambert's troop, believed that Christ was incorporated with him, and received worship accordingly. The parliament voted him to be guilty of blasphemy, and he was put in the pillory twice, was whipped several times, and was burnt in the forehead; his tongue was bored with a red-hot iron; and after that he was committed to solitary confinement. These sufferings only made his admirers worship him still more, and on every occasion

Sketch of
the life of
George
Fox.

Cruel per-
secution of
Naylor by
the
parliament.

1657

that he was whipped, or had to ride on horseback with his face to the tail, they attended him bareheaded, kissed his wounds, and chanted with him passages from the Scripture, (December, January, February, 1656-57).*

Cromwell saw, as the more fanatical members had not seen, that the whole course of legal government was threatened by this procedure of the house—that this assumption of judicial power was incompatible with the due course of justice. For of what use was the right of trial, if the parliament could set aside the ordinary courts of law at its pleasure, and inflict arbitrary punishment for any supposed offence without the usual forms of inquiry? He therefore addressed a letter to the speaker, in which, in royal language, he demanded of the house the grounds upon which they had proceeded. The members received this message with amazement; although the punishment was not completed when this letter was sent, they decided that it should be completed; and this obstinacy on their part was Cromwell's triumph, for it directed public attention to the defects of the constitution, and to the necessity of establishing checks on the authority of the house in matters of law and justice. The public mind was thus prepared for the proposal which was soon afterwards made—that of restoring the ancient form of government, and making Cromwell king.

Cromwell
remons-
trates
against it.

It led to a
change in
the govern-
ment.

28. Sindercomb's Plot. In the meantime, a new assassination plot excited a general interest in the life of the Protector, and, by its failure, more than ever strengthened his authority. Sexby had now found a fit instrument for the accomplishment of that murderous purpose which was the main article in the compact he had made with Charles and the King of Spain. This was Miles Sindercomb, one of those Levellers who had been sentenced to be shot at Burford in 1650. Having escaped on that occasion, he became quartermaster in Monk's army in Scotland; got involved in new plots, and was cashiered. In order to carry out his present design, he hired a house at Hammersmith, and provided deadly combustibles, so as to blow up the Protector when he took his Saturday ride to Hampton Court. He also arranged to blow up Whitehall. But all his secrets were regularly revealed to Cromwell, and, being taken, he was tried for high treason, and condemned to death. He forestalled the executioner by committing suicide a few hours before the period fixed (February 13th, 1657).

Sexby sends
Sindercomb
to murder
Cromwell.

* Lingard, XI., 82-83; also Fox's Journal, I., 572; and Burton's Diary, I., 133-270.

29. The Proceedings connected with the Proposal to make Cromwell King. When Secretary Thurloe related the discovery of this plot to the Commons (January 19th), and the house resolved to congratulate the Protector on his escape, one Mr. Ashe, member for Somersetshire, moved that it be added to the address, that his highness would be pleased to take upon him the government according to the ancient constitution. The house was completely taken by surprise, and a sharp debate ensued. On the 23rd of February, after the address had been presented, Alderman Pack requested leave to read "*An humble address and remonstrance*," for the settlement of the nation, in which he desired the Protector to assume kingly power, and to call future parliaments, consisting of two houses. The officers, the leading members of the council, and a few others, strenuously opposed this; Whitelocke, Glynn, Lord Broghill, and the lawyers and courtiers, supported it, and a long debate ensued. Four days after this paper had been introduced (February 28th), a hundred officers, with several of the major-generals, among whom was Lambert, the commander of the army, and the idol of the military, Desborough, the Protector's brother-in-law, and Fleetwood, his son-in-law, waited upon Cromwell to express to him their objections to his accepting the title of king. The Protector somewhat resented this interference, reminding them that they had pressed him to accept the title when he undertook the government, but that he had rejected it, and he had not since desired, or done anything to obtain it. He thought, however, that as Protector he needed some additional authority, to put a check to such scandalous proceedings as the late persecution of Naylor, and that a House of Lords might serve a useful purpose in this respect. The debate on the question was maintained in the house with little interruption, through the whole of March, and it was at last voted, by a majority of 61, that the address, under the amended title of "*The Humble Petition and Advice*," should be presented. The members accordingly proceeded in state to Whitehall (March 31st), and presented the document. It contained eighteen articles, touching kingship, the second house of parliament, the mode of electing members, the permanent public revenue, exclusive Protestant religion, and provision for tender consciences. They requested the Protector's acceptance of all these articles, not of one alone: he asked them time for consideration. Three days afterwards Cromwell returned them for answer, that "he did not find it in his duty to God and

An humble
address and
remon-
strance

The
Humble
Petition
and Advice.

1657

the country to undertake the charge under the new title which was given him." The house, however, refused to be satisfied with this reply; the former vote was renewed, and the members went to him in a body, and reminded him that it was his duty to listen to their advice. On this, he suggested that a conference should be held between him and a committee of the house, to discover some means of reconciling their opposite opinions on the question. This was on the 8th of April; and the next day all London was in a tumult. The Anabaptists and Fifth-monarchy men had from the first vehemently opposed the proposed revival of the monarchy. In their creed, the protectorate even was an impiety, and the kingship a sacrilegious assumption of the authority belonging to the only King, the Lord Jesus. They were his witnesses foretold in the Apocalypse; they had now slept their sleep of three and a half years; the time was come when it was their duty to rise and avenge the Lord. The opening day for the Millenium was fixed for the 9th of April; it was to be proclaimed on Mile-end Green, by its great herald Thomas Venner, the wine cooper. The standard chosen was the Lion of Judah, and only eighty men composed the army of the Saints, but they were champions of Him who, "though they might be as a worm, would enable them to thrash mountains." They certainly had sought the aid of the Levellers, but the latter trusted more in worldly wisdom, than in that special and divine interposition which the Saints believed would be vouchsafed to them, as to the Israelites of old. They were easily defeated by a troop of horse, and many of them made prisoners, but none were punished.

The Millen-
arians rise
in London
and are
defeated.

The conference proceeded but slowly, Cromwell showing much disinclination to enter upon the business at all. His real objection to the title was that "good men," by which he meant the army, "could not swallow it;" he was unwilling to offend these by an acceptance, or to offend the parliament by a refusal. To say that Cromwell did not desire the crown, when it was so much pressed upon him, would be to say that he was not human; but that he intrigued to obtain it, and that he planned all this "tedious farce" for the purpose, cannot be proved from any document that we are acquainted with. The truth is, that Cromwell knew that he would peril his greatest interests by accepting the dignity, and from the moment that he was convinced of this, his resolution was formed. The strongest argument used by the advocates of the measure was, that by the law (11 Henry VII.), all the acts of

a king *de facto* were good and valid, so that the security of all who obeyed the Commonwealth could only be obtained by a restoration of the monarchy; to which it was replied, that the terms king and civil magistrate were synonymous. At the end of two months, the Protector gave his final answer, absolutely declining the proffered dignity, but declaring his desire to accept all the other articles of the "*Petition*," as he had proposed they should be amended. This was agreed to, and on the 26th of June, he was solemnly inaugurated in Westminster Hall as Lord Protector.

Cromwell finally refuses the crown, but agrees to the restoration of the office, without the title of king.

The supreme authority was vested in him as if he were the king; but instead of rendering it hereditary in his family, he was only empowered to name his successor. The two houses were restored with all their former privileges, and the power of nominating the members of the Upper House, or "*other house*," as it was called, was given to him, but in this first instance subject to the approval of the Commons. The appointment of state officers was also to be subject to the same tribunal; a confession of faith was to be drawn up, all dissenters from which were to be tolerated, unless they rejected the doctrine of the Trinity, the inspiration of the Scriptures, or professed prelatie, popish, or blasphemous doctrines. The yearly revenue was to be fixed at £1,300,000, of which no part was to be raised by a land tax. A million of this was to be devoted to the army and navy, and the rest to the civil list; but for the present prosecution of the war, an additional grant of £600,000 was voted for the three following years.

The new government.

In all but the name, the three British nations were now one kingdom; and after having thus re-established the government on the basis of the constitution, the parliament adjourned for six months, that time might be allowed for the formation of the "*other house*."

30. *Blake's last Victory and Death.* Among the adversaries who opposed the Lord Protector's elevation to royalty, Lambert had been the most ardent and active. Cromwell gave him the opportunity of taking the new oath of allegiance; but as he refused, he was deprived of his commission, and he retired to his country house at Wimbleton, on a pension of £2,000 per annum. About the same time, death removed two other enemies of the Lord Protector; viz., John Lilburne, who died at Eltham (August 29th), and was buried by the Quakers, whom he had latterly joined; and Sexby, the Leveller. This fanatic was impatient of the delays with which the Spanish court postponed the Royalist invasion of England, and nothing would satisfy his implacable spirit, but the life of the Protector. A daring pamphlet had recently been

Lambert retires into private life.

Death of Lilburne and Sexby.

1657-58

printed in Holland, entitled "Killing no Murder," recommending the duty of putting the tyrant to death, and stating that there were many, even amongst the Protector's own attendants, who were ambitious to deliver their country by killing him. Sexby sent thousands of this pamphlet into England, where it created the most intense excitement, and when he considered that it had sufficiently prepared the way, he came over himself. But all his steps were watched, and just as he was about to return to Flanders, he was arrested, and sent to the Tower. He there feigned madness; but he freely confessed everything about himself, and that he had written the pamphlet. He revealed nothing further, however, and died in the Tower (January, 1658).*

But the bitterest enemies of the Protector, whatever they thought of his stern and vigilant watchfulness over them, felt that his rule was not an indolent one. The news came of a great victory, won by Blake, at Santa Cruz—one of those daring exploits in which there is the greatest safety in what the timid call rashness. During the winter of 1656-7, Blake continued to blockade Cadiz. In the spring he learned that the Plate fleet from Peru had sought an asylum in the harbour of Santa Cruz, in the island of Teneriffe. There the merchantmen, 100 in number, were moored close to the shore, in the form of a crescent; while the six galleons in their front were anchored in deeper water. The guns of the castle commanded the entrance of the bay, and seven batteries the rest of the harbour. Blake, whom the Spanish governor had dared to come, was rather animated than daunted by this appearance; he examined the defences, proclaimed the customary solemn fast, and at eight the next morning (April 20th), the wind seconding his courage, and blowing full into the bay, he entered the harbour under a tremendous shower of balls and shells. But his ships coolly took up their allotted stations; and after a terrible fight, which lasted four hours, every Spanish ship was in possession of the English, and in flames. The wind then suddenly shifted, the gallant English ships sailed safely out of the bay, and left the Spaniards in utter astonishment at the temerity of their audacious visitors. When the Protector heard of this daring feat, worthy of the most heroic days of Elizabeth, he sent Blake a jewel, in the name of himself and the parliament, and desired him to return home; but the noble seaman did not live to receive the congratulations of his country,

"Killing no Murder."

Blake burns the Spanish fleet in the harbour of Santa Cruz.

* Lingard, I., 190-191; Carlyle, III., 315-316.

and he died on board his own ship, the *St. George*, within sight of Plymouth. His death was a source of public grief to England; Cromwell publicly acknowledged his merit by honouring his body with a pompous funeral, and interring it in Henry the Seventh's chapel, Westminster; but in the next reign the coffin was taken from its vault, and deposited in St. Margaret's church-yard.*

31. The Protector's last parliament. On the 20th of January, 1658, the prorogued parliament re-assembled, with its reinforcement (by stipulation of the "*petition of advice*") of the hundred excluded republican members, and its addition of the "other house." This "other house" consisted of sixty-two members, and comprised Cromwell's two sons, Richard and Henry, eight peers of royal creation, several members of the council, some gentlemen of fortune and family, with a due proportion of lawyers and officers, and a very scanty sprinkling of persons known to be disaffected to the government. Of the eight peers, two only attended; Lord Falconberg, who had recently married the Protector's daughter, Mary, and Lord Eure. Lords Warwick, Manchester, Mulgrave and Wharton refused to attend. Whitelocke, Lisle, Glynn, Widdrington, Desborough, Jones, Fleetwood, Claypole, another son-in-law of the Protector's, were in this new house, as well as old Francis Rouse, Alderman Pack, and the late speaker, Lenthall. Haselrigg contemptuously refused to obey the writ, and insisted upon taking his place among the Commons.

The Protector opened the session after the ancient form; after which Nathaniel Fiennes, one of the commissioners of the great seal, made a long speech, commenting upon the new monarchical Protectorate, and advising unanimity and diligence in the despatch of business. But when the Commons began their proceedings, they flatly refused to acknowledge the new house as a House of Lords; and they entered into a long debate concerning its rights and privileges, and the title which should be given to it. Cromwell endeavoured to soothe their angry spirits; he summoned the members to the Banqueting-house, and addressed them in a manly speech, pointing out to them the dangers from abroad, and the plots from within, which threatened the government, and, therefore, required that they should be unanimous.

If the present frame of government, he asked them, was not satisfactory, had

* Dixon's *Life of Blake*, 361-365.

1658

they any better model? The only security for their liberty was consistency and agreement at their meeting; in their union he was ready to stand or fall with them, and he trusted, by the grace of God, to maintain that union according to the articles of government which he had sworn to observe; to preserve every just interest; to uphold a godly ministry; and to protect all men in their just rights, whether civil or spiritual.

Cromwell
endeavours
to soothe
them.

This appeal, "the words as of a strong great captain, addressed in the hour of imminent shipwreck,"* produced no effect. Haselrigg and Scott were at the head of the majority in the house, and the members would proceed to no business, but persisted in debating about the "other house."

Never, perhaps, during his extraordinary career, was Cromwell involved in such great difficulties. But he soon resolved to end them; and on the 4th of February, on the tenth day of the debate, he went to the House of Lords, and summoned the Commons before him. His speech was short, but severe.

He had hoped, he said, that God would make the meeting of that parliament a blessing, and he believed that the Petition and Advice, adopted by the house, established the government on a fixed basis, or he would not have accepted the Protectorate. "I did tell you" he continued, "that I would not undertake it, unless there might be some other persons to interpose between me and the House of Commons, and prevent tumultuary and popular spirits. It was granted I should name another house. I named it of men of your own rank and quality, who should meet you wherever you go, and shake hands with you; and who will not only be a balance unto you, but to me and to themselves. * * * If there had been in you any intention of settlement, you would have settled upon this basis. * * * Yet, instead of owning this actual settlement, you have not only disjointed yourselves, but the whole nation. And this at a time when the King of Scots hath an army at the water's side, ready to be shipped for England. And what is like to come upon this, but present blood and confusion? And if this be the end of your sitting, and this be your carriage, I think it high time that an end be put to your sitting. And I do dissolve this parliament. And let God be judge between you and me." Amen, answered some of the opposition members in audible indignation.†

Falling
which, he
dissolves
the
parliament
in an
angry
speech.

32. **Lambert's Conspiracy. Threatened Royalist Invasion.** That afternoon Cromwell wrote to his captains of militia in the country to be most vigilant in suppressing any disturbance; and, two days afterwards, he summoned the officers to Whitehall, and asked them if they were willing, with him, to maintain the *Instrument of Government*. The majority answered that they would live and die with him; a few looked gloomy and silent, and these, with others that he suspected, he removed from their commands, although some of them had served him all their lives.

* Carlyle, III., 347.

† Ibid, III., 347-353.

Lambert's ambition to be Protector. These malcontents went and sought out Lambert, who received them with open arms, expecting to be set up by them in Cromwell's place. "His ambition," says Mrs. Hutchinson, "had this difference from the Protector's; the one was gallant and great; the other had nothing but an unworthy pride, most insolent in prosperity, and as abject and base in adversity." His partisans immediately devised a plot for the assassination of Cromwell; but Colonel Hutchinson became acquainted with it by accident, and revealed it to the Protector, "judging that Lambert would be the worst tyrant of the two."

Colonel Hutchinson reveals the plot to Cromwell.

This brave man, "who may be regarded as the type of a Christian gentleman and sincere republican,"* had, ever since the expulsion of the Long Parliament, retired into private life; the Protector received him with every expression of kindness and good will, and earnestly solicited him to join his government; but the colonel steadily refused, and, having put Cromwell on his guard against the assassins, left the court.†

When he had secured the officers of the army, the Protector appealed to the corporation of London, and explained to them the reasons why he had so abruptly dissolved the parliament. He was fully alive to the necessity of retaining the support of this powerful body; for, with a view to acquire influence in city matters, many Royalists had latterly bound their sons apprentices to London tradesmen, and opposition to the Protector was making rapid progress in the metropolis.

Royalist influence in London.

The dangers which threatened the government were indeed manifold. Charles not only had an army on the coasts of the Spanish Netherlands, ready to invade England, but the Royalists in the country itself had promised, as soon as these troops landed, to rise and secure Gloucester, Bristol, Shrewsbury, and Windsor; the Anabaptists also offered to join Charles as soon as he should set foot on English soil. But the vigilance of Cromwell's police was everywhere equal to the emergency. Ormond, who came over in disguise, for the purpose of observing the state of affairs, and estimating the strength of the rebels on the spot, received a very intelligible hint that he had better make a speedy return to his master. The apprentices of London made some wild boasts of seizing London; but, when the lieutenant of the Tower brought out five pieces of artillery against them, they thought it the best plan to beat a retreat into their masters' houses. Their ring-

* Guizot, 426.

† *Memoirs of Colonel Hutchinson*, 3; 3-376.

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leaders, together with some members of the Sealed Knot, a secret committee of Royalists who organised the insurrections, were arrested; others were seized in the country, and condemned. Sir Charles Slingsby, who had conspired to deliver Hull into the hands of Charles, and Dr. Hewet, an episcopal divine, were executed, although the former was the uncle of Lord Falconberg, the Protector's son-in-law, and the life of the latter was interceded for by Cromwell's favourite daughter, Elizabeth Claypole (June 8th). This severity taught the Royalists to fear the Protector's resentment, and they made no more insurrections during his life.*

33. Alliance with France. Operations in the Spanish Netherlands. At the very moment when the Protector was thus so earnestly struggling against plots in England, he obtained his most brilliant successes on the continent. He had not been slow to perceive that, in order to wage an effectual warfare against Spain, his treaty of peace and commerce with France would not be sufficient, and he had readily met the proposals of Cardinal Mazarin for a closer and more active alliance. For this purpose Lockhart, one of the Scottish judges, who had married Cromwell's niece, went to France, and concluded a treaty at Paris, to last twelve months (March 23rd, 1657), by which the Protector engaged to send 6,000 troops to join the French army, 20,000 strong, in the Spanish Netherlands, and besiege Gravelines, Mardyke, and Dunkirk, the last of which was to remain in the hands of the English. The pay and expenses of the English auxiliaries were to be divided equally between the King of France and the Protector.

The combined force was placed under the command of the celebrated Turenne, who was opposed by the Spaniards under Don John of Austria, with the British exiles, commanded by the Duke of York, and the French exiles, by the Prince of Condé. Instead of attacking the fortresses stipulated in the treaty, the English were employed in securing fortresses in the interior. Cromwell, however, was not a man to be duped, and he ordered his ambassador to see that the treaty was carried out, or send the English troops home. Mazarin was not inclined to quarrel with "a prince" whom his master "considered as the greatest and happiest in Europe," and Mardyke was besieged and delivered, provisionally, to the English general, Sir John Reynolds. Turenne then marched against Gravelines, but the Spaniards

Conspiracy
of the
Sealed
Knot.

The treaty
of alliance
with
France.

* Lingard, XI., 110-116; Knight, IV., 210-12; Guizot, 426-433; Carlyle, III., 353-55.

opened the sluices, inundated the environs of the town, and rendered a near approach impossible. The next spring, amidst all those domestic distractions which marked the dissolution of his last parliament, Cromwell sent over more troops, and renewed the treaty for another year. On the 25th of May, 1658,

Dunkirk
besieged by
the allies.

Dunkirk was invested. The intelligence was received by the Spaniards with surprise and apprehension, and they hastened to the defence of the place, leaving behind them their artillery, and a portion of their cavalry. Condé entreated them to remain within their entrenchments until these arrived; but Don John wished to advance along the Dunes, and there encounter the French army. Condé in vain showed him the utter folly of risking a battle under such unfavourable circumstances; the French, said the proud Spaniard, will not even dare to look the the army of his Catholic majesty in the face. Turenne, aware of

The battle
of the
Dunes.

the discord and disorganization in the enemy's camp, resolved to attack at once, before the Spaniards had received their ammunition and artillery, and the next morning (June 4th), the allied force was seen advancing in battle array. Don John hastily placed his men along a ridge of sand hills, which extended from the sea coast to the canal; he gave the right wing to the Duke of York, the left to Condé, and reserved the centre to himself. The English, who formed the French left wing, commanded by Lockhart, began the battle; their ardour to distinguish themselves in the presence of two rival nations carried them considerably in advance of their allies; and, having halted to gain breath at the foot of the opposite sand hill, they mounted with impetuosity, received the fire of the enemy, and at the point of the pike drove them from their position. The small band of English and Irish Royalists, under the Duke of York, contested the palm of bravery in hand-to-hand encounters with their Republican countrymen, and in Lockhart's regiment scarcely an officer remained to take the command. By this time the action had commenced on the Spanish left, where Condé, after some sharp fighting, was compelled to retreat by the bank of the canal. The centre never engaged; for, seeing itself flanked on both sides, it precipitately abandoned its position, and fled from the field. In the meantime, the Duke of York had rallied his infantry; but a few squadrons of French horse soon broke his strength; and the victory, on the part of the allies, was then complete. Ten days after this brilliant achievement, the garrison of Dunkirk was reduced to extremities; the old governor, the Marquis of Leyden,

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had been mortally wounded in a sortie; the place surrendered; and on the 25th of June, Louis XIV. entered the town, and delivered the keys with his own hand to the English ambassador. Gravelines was soon after reduced; Ypres opened its gates; and all the towns on the banks of the Lys successively submitted to the conquerors.*

Dunkirk
given up to
England.

34. **The Protector's Family and Private Life.** Now that he had re-established for his country a footing on the continent—a proud thing for England in those days, though an impolitic one, according to modern statesmanship—the Protector began once more to hope that a parliament would sanction, support, and consolidate his power. For notwithstanding all his triumphs, he was painfully conscious of the daily pecuniary embarrassments of his government. Though the last parliament had made ample provision for the war, its prosecution had compelled him to contract enormous debts; and his ministry, so Thurloe writes, were frequently compelled to go a begging for even the loan of a few thousand pounds, with the cheerless anticipation of a refusal. He looked on the army, the greater part of which he had quartered in the neighbourhood of the metropolis, as his chief and only support against his enemies; and so long as the soldiers were comfortably clad and fed, he might with confidence rely on their attachment. But now that their pay was in arrear, he had reason to apprehend that discontent might induce them to listen to the suggestions of those officers who sought to subvert his power. On former occasions he had relieved himself from similar dilemmas by the imposition of taxes on his own authority; but according to the new scheme of government, founded on the “Petition and Advice,” such an act was illegal, and he, therefore, refrained from it. He attempted to raise a loan in the city, but failed; because the Spanish war was unpopular among the merchants, whose profits it cut off. There only remained a third expedient—the assembling of parliament, which Thurloe repeatedly advised him to summon. He therefore appointed a committee to report upon what was to be done in the next parliament to defend the government against the attacks of the Royalists and Republicans. Its deliberations came to nothing.

The
Protector's
poverty.

He fears
the army,
because its
pay is in
arrear.

But the cares of government, and all desires of worldly power and dignity, were now absorbed in other anxieties of a much deeper interest in the Protector's mind. Throughout his career, the prospects and destiny of his family and children occupied his

* Lingard, XI., 116-119; Guizot, 434-440.

His treatment of his children.

most anxious thoughts. No paternal illusion or ambitious desire, ever led this great man to overrate the talents or merits of his children, whose affairs he treated as an affectionate and prudent father, and not as a powerful sovereign, desirous to shed the lustre of his dignity over all his relatives. Aware of the natural indolence of his third, but eldest surviving son, Richard, he allowed him to live with his father-in-law, Mr. Major, at Hursley Manor, like a quiet country gentleman; and he did not intrust the government of Ireland to his younger son, Henry, until he made trial of his abilities; and then he promoted him by slow degrees, and under modest titles. When he became Protector, he resolved to have a court; but the austerity of his party,

His court.

the military character of his government, and the manners, tastes, and jealousies of most of his adherents, confined it within very narrow limits. His own family was the centre, and

Character of his wife.

the chief element in it. His wife, Elizabeth Bourchier, while she had all that simplicity, modesty, and good sense, which had contented her with her husband's former humble position, had yet spirit and dignity sufficient for the exalted station she now held. She educated her children with much ability, and governed her family with address; and she was the only relative of the Protector, whose kinsmen received no place of profit or emolument under the Protectorate. She survived her husband seven years, and was buried at Norborough.* The Protector

Influence of his children in the court.

relied more upon his children for the direction of his court. He made Richard a privy counsellor, and caused him to be elected member of parliament, and chancellor of the University of Oxford. His son-in-law, John Claypole, was a man of elegant tastes, and like Richard, was on friendly terms with a great many Cavaliers. After the marriage of his two younger daughters, Mary with Lord Falconberg, and Frances with Mr. Rich, grandson of the Earl of Warwick, Cromwell had about him four young and wealthy families, eager to enjoy life, and to share their enjoyments with all who came near them in rank and fortune. The Protector was fond of social amusements and brilliant assemblies; he was passionately fond of music, and took delight in surrounding himself with musicians, and in listening to their performances. Under the direction of his daughters, therefore, his court became numerous and gay. One alone of them, the widow of Ireton and the wife of Fleetwood, was a zealous and austere Republican, and took but little part in their festivities;

* Forster's Lives, VI., 32-34.

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she deplored the monarchical and worldly tendencies which prevailed in the household as well as in the policy of the Protector.*

But in the midst of all this domestic prosperity, family afflictions fell heavy upon Cromwell, and brought forth, in every visitation, the tenderness of his nature. In 1648, his second son, Oliver, a promising youth, had been killed in battle, and, although we find no trace of the father's sorrow until ^{his family} ~~afflictions~~, ten years afterwards, when a new affliction called up the bitter remembrance, he felt it poignantly. Hearing some one read the passage in Philippians, beginning with these words, "Not that I speak in respect of want," and ending with these, "I can do all things through Christ, who strengtheneth me," he said, "This Scripture did once save my life, when my eldest son * * * * * died; which went to my heart, indeed it did."† In 1654, he lost his mother, Elizabeth Stuart, a woman of great sense and virtue, for whom he never ceased to entertain and manifest the utmost respect. In 1658, death entered his house with unusual severity. Three months after her marriage, his daughter Frances lost her husband, and she became a widow at the early age of seventeen; three months later, the Earl of Warwick, Cromwell's most intimate friend among the nobility, and who had served him with true devotion, died; and, ere many weeks had passed, he had to endure the heaviest blow of all. His beloved daughter, Lady Claypole, had long been weak and invalid; and he had sent her to reside at Hampton Court, for the benefit of country air and complete tranquillity. Finding her illness increase, he went to reside there himself, that he might watch over her with tender and constant care. She possessed great and peculiar attractions; being a person of noble and delicate sentiments, of an elegant and cultivated mind, faithful to her friends, generous to her enemies, and tenderly attached to her father, of whom she felt at once proud and anxious, and who, in his turn, rejoiced greatly in her deep affection. Unable to attend to any public business whatever, Cromwell watched by her bedside constantly for the last fourteen days of her life, and had need of all his self-control to endure the painful impressions which her cruel sufferings made upon his mind. What took place when they

Death of
Lady
Elizabeth
Claypole.

* Guizot's Cromwell, 443.

† All the biographers of Cromwell attribute these words to the death of his son Oliver. But Forster, in his *Historical Essays* (I., 333), has shown that they allude to Robert, his eldest son, who died in 1640, at the age of 19. Cromwell had five sons; 1, Robert; 2, Oliver; 3, Richard; 4, Henry; 5, James, who died young.

were thus alone, and what was the subject of their private conversation, was never exposed to the profane ears of strangers; yet Clarendon, Bulstrode, Heath, and other Royalist writers, have presumed to report that she upbraided her father with his crimes, and predicted the bloody vengeance which would fall upon his house. This, and numberless other fictions of a like nature, invented after the Restoration, should now be consigned to their natural resting-place—oblivion.

On the 6th of August Lady Claypole died. She was interred in Henry the Seventh's chapel, among the tombs of the kings.*

34. The Protector's Sickness and Death. The Protector soon followed his beloved daughter. His health had been very uncertain of late; indeed, his course of life never had been favourable to health. It was, as he himself said, "a burden too heavy for man." "Incessant toil; inconceivable labour of head, and heart, and hand; toil, peril, and sorrow manifold, continued for near twenty years now, had done their part; those robust life-energies, it afterwards appeared, had been gradually eaten out."† When he had any attack of illness, which prevented his attending to business, he grew impatient, and ordered his physicians to set him right again at any cost. When Lady Claypole's illness assumed a dangerous character, he was suffering from an attack of the gout; while giving an audience to the Dutch ambassador, on the 30th of July, he felt so unwell that he suddenly broke off the interview. After the death of his daughter he made an effort to resume his labours; but an intermittent fever broke out with great violence, and he was obliged to remain in bed. About the 20th of August the fever ceased, and he resumed his former occupations; but, says George Fox, the Quaker, "I met him riding into Hampton Court park, and before I came to him * * I saw and felt a waft of death go forth against him, and when I came to him he looked like a dead man." In a day or two the fever had greatly increased; his physicians ordered him to leave Hampton Court for Whitehall (24th August), and from that day the disease and danger became more and more urgent. He ceased to attend to public business, and seemed not to think of it. On the 30th of August a mighty storm of wind filled the land with dismay; but there was a deeper cause of alarm for most men, for the Protector was dying, and the question was—who was to follow?‡ His eldest son, Richard, was an idle country

* Guizot's Cromwell, 443-445; Carlyle, III, 367; Lingard, xi., 123.

† Carlyle, III., 637. ‡ Knight's Pop. Hist., iv., 214.

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gentleman, harmless, but somewhat incapable. Thurloe put the question of succession to the dying man, who directed him to a sealed paper placed in a certain spot in Hampton Court. But the paper could not be found. On the 2nd of September, Thurloe again asked him, and the answer was said to be "Richard." That night another terrible storm fell upon the land, and in the tumult of the winds the dying Oliver was heard uttering a prayer for his country. On the afternoon of the next day—*his fortunate day*—he passed away in a state of insensibility, Friday, September 3rd, 1658.

SECTION III.—THE ANARCHY. 1658-1660.

35. **Brief Protectorate of Richard Cromwell.** Although Richard Cromwell succeeded his father in the Protectorate without the slightest opposition, it soon became evident that he was deficient in all the qualities essential to the preservation of such an authority as that which had now devolved upon him. He was a young man of no experience; "a peasant in his nature, ^{His} yet gentle and virtuous," and he "became not greatness," ^{character.} because he was indolent and irresolute.* His father having left no wealth, contrary to the general expectation, he soon found himself embarrassed; for the payment of the troops was considerably in arrear, and as he was a total stranger to them, it was not likely that they would remain quiet with such a cause for dissatisfaction. The officers, headed by Fleetwood, presented to him a petition for such organic changes in the constitution of the army, as would have deprived him of all control ^{Army petitions for changes.} over it, and he was therefore advised by Thurloe, St. John, Fiennes, and others, to throw himself upon the people, and call a parliament. He did so; and a new parliament met on the 27th of January, 1659. It was different from the last which Oliver had called, inasmuch as the old representative ^{Richard calls a parliament.} system was restored; small and decayed boroughs again elected burgesses, and commercial towns, such as Manchester, which had grown into importance, were deprived of their members. The Lords were summoned as in the previous parliament. Every member was called upon to take the oath to the government. A few republicans refused, and did not take their seats; Ludlow and others evaded it, and divisions arising, there presently

* Memoirs of Colonel Hutchinson.

Parties in it. appeared three distinct parties; the *Protectorists*, forming about one half of the members; the *Republicans*, who numbered about fifty, Vane, Haselrigg, Lambert, Ludlow, Bradshaw, Scott, and Nevil, being among them; and the *Moderates*, or *Neuters*, Presbyterians for the most part, but many of them concealed Cavaliers. The first subject which called forth the strength of these different parties was a bill which, under the pretext of recognising Richard Cromwell for the rightful successor to his father, would have pledged the parliament to an acquiescence in the existing form of government. The Republicans instantly took the alarm. They did not object to Richard personally; but they took up the revolution at the point at which Cromwell had stopped it by the expulsion of the *Rump*, and asserted that parliament alone had the right to exercise the supreme authority.* The bill was passed with some small modifications, after long and violent debates (14th February), as was also the resolution to treat the "other house" as a house of parliament (18th April).

So far, therefore, the Protector's party was triumphant; but there was another power which had yet to be propitiated—the army—the only party which could not enter into a compromise with the old régime, and was, therefore, committed irrevocably to the preservation of the republic. The Presbyterians, moreover, were objects of suspicion to them now, as they formerly were; and when they saw that the new Protector was about to replace the republic in the hands of these men, they re-constituted their councils, and resolved upon seizing the government. Fleetwood, Lambert, and Desborough were at the head of this movement; and, as each of them was unable to usurp the government himself, they united to place power in the hands of the ultra republicans, whom they could control. They drew up a "*humble representation and petition*," complaining bitterly of the contempt into which "the good old cause" had sunk, and of the threats and prosecutions which the parliament had instituted against the patriots who had served their country so well. The Commons received it with scorn; but the military leaders were not to be put down, and they next voted that the common cause was in danger, that the command of the army should be put in the hands of officers possessing its confidence, and that every officer should testify his approval of the execution of Charles Stuart, and of the subsequent proceedings, or resign his commission. The parliament immediately perceived its danger, and

The army draws up a "humble representation and petition."

* Forster's Lives, IV., 182-184.

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declared the military councils illegal. The officers considered this motion as an open declaration of war; they instantly met; and Desborough, in their name, informed Richard that the crisis was at last come; the parliament must be dissolved, either by the civil authority, or by the power of the sword. He might make his election. If he chose the first, the army would provide for his dignity and support; if he did not, they would abandon him to his fate. Richard shrank from the responsibility which they thus forced upon him; but there was no alternative, and he issued an ordinance, dissolving the parliament (April 22nd, 1659). By this act Richard dethroned himself, for, although he continued to reside at Whitehall, he was excluded from having any share in the government, and, soon afterwards, he signed his resignation in form. His brother Henry, the deputy of Ireland, though possessed of considerable vigour and capacity, also resigned his command, and returned to England. He retired into Cambridgeshire, and died in 1674. Richard fled to the continent at the Restoration, to escape from his creditors; and, after an expatriation of almost twenty years, returned to England, and died at Cheshunt in 1713, at the age of eighty-six.

And compels
Richard to
dissolve the
parliament.

36. Restoration and Second Expulsion of the Rump. The army had now possession of supreme authority, but it had no master-mind to direct its supremacy, and so all real government was at an end. In this emergency the officers determined to recall the Long Parliament, as it existed when Cromwell expelled it. The Presbyterian members whom Pride had expelled in 1648 also demanded re-admission; but as they were Royalists, and still adhered to the principles which formed the basis of the Treaty of Newport, they were refused the privilege. The members of the Rump, therefore, assembled alone, to the number of seventy; the Committee of Safety and the Council of State were reformed, and a Declaration establishing the former republican government, was issued. But the question soon arose— which power should be supreme, the civil, or the military? The parliament, composed of energetic men, able and full of conviction, resolutely asserted its claims, and compelled the officers to receive and to hold their commissions from the speaker; and they proceeded to settle the government, in a firm but conciliatory spirit. The nation however, had no confidence in their stability; while they themselves were debating what should be the ultimate form of government, the various political clubs in London, and throughout the country, were disputing the same

Who shall
possess the
supreme
power—
parliament,
or the
army?

subject, so that parties were multiplying everywhere, and dangers multiplied with them. The consequence was, that the Presbyterians, excluded from power, made a secret alliance with the Royalists, and insurrections simultaneously broke out in several counties. But the plans of these conspirators were betrayed; and the only project which took any action was that of Sir George Booth, who raised Cheshire and Lancashire in the expectation of being joined by Charles and the Duke of York. Lambert, however, totally defeated his force at Winnington, near Nantwich (August 18th); and before the end of the month, the risings were suppressed everywhere. There is no doubt that, if Richard could have held the army in due subordination to the civil authority, and the parliament have proceeded in its duties without molestation, the country would have gradually settled down under a government which afforded security for the various interests that had acquired a firm footing during ten years.* But the Republicans were disunited; the army had again triumphed; the late dissensions between it and the parliament were renewed; and there was no prospect whatever of stability or settlement. Hence the restoration of

General anarchy.
Booth's Cheshire rising.
The restoration of the monarchy longed for.

Charles became a fixed idea that gradually took possession of the national mind. It was, therefore, the policy, as much as the duty, of the officers to obey the civil power they had set up; but they felt contempt for their pretended masters, and were resolved upon being independent and supreme. The Rump voted that Lambert, Desborough, Fleetwood, and the chief officers should be dismissed; whereupon the officers expelled the parliament (October 23rd).

37. Differences between Monk in Scotland and the Officers in London. The council of officers at Wallingford House now established a military government; they appointed Fleetwood commander-in-chief, and Lambert, major-general; they annulled all the proceedings lately directed against them in parliament; they published a vindication, under the title of "*The Army's Plea*," and vested the provisional government in a committee of safety. They next made a feeble attempt to restore Richard, whom they brought from Hampshire to London for the purpose; but his supporters were outvoted, and he retired to Hampton Court.

It was at this moment that Monk, who had been courted and feared by both parties, began to play his own game. Ever since

A military government established

* Knight's Pop. Hist., IV., 223.

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the march of Cromwell in pursuit of Charles to Worcester, he had commanded in Scotland, where he appeared to have no other occupation than the duties of his place, the preservation of military discipline, and the maintenance of order. His despatches to Cromwell were characteristic of the man; short, dry, and uninteresting, confined entirely to matters of business, and those only of indispensable necessity. Impenetrable secrecy was his distinctive qualification; whatever were his opinions, his wishes, or his designs, he kept them locked up within his own breast. Hence, all parties claimed him as a partisan, whereas he belonged to none. He had fought on every side; first, Royalist, in which character he was taken prisoner by Fairfax, at the battle of Nantwich; then as a Republican; and, lastly, as a Protectorist. As a natural consequence, he was always distrusted, and, especially, after the fall of Richard. Cromwell termed him "the sly fellow." To undermine his influence, Fleetwood decreased the number of his troops, and removed many of his officers; for they, like him, had no great sympathy with the movements of the soldiers in London. In retaliation for these affronts, he dictated a letter to Speaker Lenthall, complaining of the recent proceedings of the metropolitan regiments, just at the time of Booth's insurrection in Cheshire, evidently for the purpose of animating the insurgents, and embarrassing their adversaries; but on the very day on which he purposed submitting the letter to his officers for signature, the news arrived of Lambert's victory, and the document was immediately suppressed (August 22nd).

Monk begins to intrigue against the London officers.

His character.

As soon, however, as he heard of the expulsion of the Rump, and of the superior rank conferred on Lambert, he determined to appear openly as the patron of the vanquished, under the alluring, but ambiguous title of "asserter of the ancient laws and liberties of the country." With this intention, he secured the Castle of Edinburgh, and the citadel of Leith; he occupied Berwick, and began to levy and discipline a numerous force of cavalry. At Leith, he addressed the troops and officers, and told them that the army in England had broken up the parliament, to hinder the settlement of the nation; that they would trouble Scotland next, and that he was resolved to maintain the authority of the parliament. The soldiers approved of his object, and engaged to stand by him; and they sent letters to Lambert, Fleetwood, and Lenthall, announcing their intentions.

Declares himself the champion of the parliament.

These resolutions produced the greatest alarm among the factions in London, who, after much discussion, finally resolved to

send a deputation to Monk to effect a reconciliation, and, if that failed, to proceed to a trial of strength in battle. Lambert was appointed commander of the troops in the north, and he left London at the head of 7,000 men. Delay was as necessary to Monk as expedition was desirable to his opponents; he received the deputation respectfully, summoned a council of his officers, and agreed to send three commissioners to London. These commissioners, contrary to Monk's instructions, concluded a treaty with the Committee of Safety, by which the government was left in the administration of a council of officers; no provision was made for the recall of the parliament, and Monk's own appointment of officers was to be revised. He, therefore, refused to ratify this treaty, and marched to Coldstream (December 8th), resolved upon advancing to London.

38. **Monk's March to London.** In the meantime, Monk contrived to detain Lambert in the north with idle negotiations. To disguise his purpose more surely, he wrote to London, and solemnly assured the common council and others that his sole object was to relieve parliament from military oppression, and that he was, above all things, a friend to liberty and the commonwealth. By some members of the old Council of State he was proclaimed a deliverer; in the city the cry for a free parliament was general; the citizens declined to pay taxes; the fleet under Admiral Lawson also refused to obey any other authority than that of a parliament, and the various leaders, civil and military, were fiercely quarrelling.

At this critical moment Whitelocke, convinced that Monk would bring in Charles without terms for the parliament or the country, and that he would easily delude Haselrigg and the rest of the parliament men, suggested to Fleetwood that since the return of Charles seemed unavoidable, it would be prudent for him and the officers to restore that prince upon terms which would be favourable to that civil and religious liberty for which they had so long contended. Fleetwood, it appears, was convinced by the lawyer's arguments, and was upon the point of sending Whitelocke as ambassador to Charles, when Vane, Desborough, and Berry came into the room, and the project was set aside. Two days after this, the soldiers revolted against Fleetwood; they assembled in front of Lenthall's house in the Strand, and saluted him as their commander-in-chief; and thus the Rump was again triumphant (24th December). Monk immediately wrote to the restored parliament, promising all obedience and faithfulness, on which

Whitelocke
advises
Fleetwood
to restore
the King.

The
soldiers in
alarm de-
clare for
the Parlia-
ment.

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they voted him their thanks, and desired him to come up to London. During this, Lambert lay at Newcastle; but Fairfax, who was in correspondence with Monk, raised the Royalists of Yorkshire, and surprised the city of York (January 1st). On the very same day Monk set out from Coldstream. When he reached Newcastle he found Lambert's army disbanded; he therefore advanced to York unmolested, where he joined Fairfax; but he maintained a strict reserve as to his future plans, and while the Royalists abroad were perplexed by his movements, the Republicans in London were suspicious of them. At Nottingham, he prevented the officers from signing an oath of obedience to the parliament; at Leicester, he declared that the monarchy could not be restored; at St. Alban's, he wrote to require that all the soldiers of the English army in or about London should be removed; and the next day (3rd February) he entered the capital, and took up his residence at Whitehall.

Fairfax corresponds with Monk, and seizes York.

39. Transactions which immediately preceded the Restoration. Haselrigg and the Republicans soon had their eyes opened to the blunder they had committed in summoning Monk to march to London. That general insisted that the expelled Presbyterians should resume their seats in parliament. No one dared oppose him; for he was now complete master of the situation. He had secured all the important posts in London and the neighbourhood; the citizens clamoured for the restoration of the excluded members, and numerous addresses came up from the counties demanding the same thing. On the 21st of February, the long-absent members returned; the Independents, finding themselves in a powerless minority, withdrew; and the Presbyterians, in the name of the nation, immediately abolished the oath of fidelity to government without a king and without a House of Lords; proclaimed the dissolution of the Rump parliament, and convoked another, to be composed of two chambers, according to the old constitution. Monk was made commander-in-chief; the Covenant was again to be promulgated; the confession of faith of the assembly of divines was ordered to be adopted; the penal laws against the Catholics, which Cromwell had rarely put in force, were again to be called into full vigour.

Monk restores the Long Parliament including the Presbyterian members.

The tendencies of some of the members, however, towards monarchy, were still very feebly indicated. Uncertainty everywhere prevailed, whilst the man who had the power of the sword was well known to have no fixed principles of politics or religion,

—was more inspired by the love of wealth, than excited by any daring ambition, and would only declare himself by some irrevocable action, when he had made up his mind as to the probable success and permanency of king or commonwealth. The parliament broke up on the 16th of March; writs were immediately issued for the new parliament, to meet on the 25th of April; and then Monk, who had secretly received his cousin, Sir John Grenville, as envoy from Charles, intrusted his relative with a verbal message to the prince. He imposed no conditions, but

His intentions a mystery. suggested that there should be a general amnesty with four exceptions; that the possession of confiscated property should not be disturbed; and that there should be liberty of conscience. This messenger was received by Charles, at Brussels, as an angel from Heaven. But Ormond, Hyde, and Nicholas, were opposed to the prince's restoration upon even these very limited conditions, and foreseeing the reaction which was likely to take place, proposed that he should be subject only to such terms as the new parliament might impose. Monk appeared ready to agree to anything; but at this juncture, a body of envoys

The conditions he advises Charles to concede. from the Presbyterians presented themselves, and offered the terms which had been proposed to Charles I. at the Isle of Wight. The latter were, however, entirely ignorant of Monk's communications with the Royalists; and they thought, in their ignorance, that they alone had the power to restore Charles. For a time the Royalists were uncertain as to how to proceed, for Monk would not commit himself by any expression. The disclosure of his opinions, however, was becoming daily less necessary, for the whole country was growing impatient for the restoration, and even such old servants of the Commonwealth as Broghill, Thurloe, and Lenthall, were offering to Charles their submission and advice.

In the midst of all this uncertainty, Lambert escaped from the Tower, where he had been imprisoned, collected a few troops, and raised the Republican standard. But his men deserted him at

Lambert defeated at Daventry. their first encounter with Monk's troops at Daventry; and they surrendered him to the hands of the Royalists, who conducted him back to the Tower (April 22nd).

The last battle of the Commonwealth was thus fought on the field and on the hustings at the same time; and on the 25th, the new Convention Parliament assembled. A few of the old Republicans were returned; some who were elected, thought that a restoration of the monarchy could be

Meeting of the Convention Parliament

1660

effected without the loss of any of those liberties which had been won since the days of Laud and Strafford; but the greater number were men who were either indifferent, or hot-headed Royalists. It was impossible that, amidst such a conflict of passions and prejudices, of old hatreds and new ambitions, Prince Charles should be forward to make any professions, and it was also fortunate that he was utterly unscrupulous with regard to any professions that he should be called upon to make. He was too heartless a voluptuary, and too selfish in his craving for ease and pleasure, to care anything about public duty, or to cherish any affection for the people he was to govern; and being secretly a papist, and openly a scoffer, it mattered little to him, provided he was quiet, how Episcopalians, Presbyterians, or Independents, harassed each other. Ten peers assembled in the new House of Lords; and the Presbyterians being the majority in the lower house, elected Sir Harbottle Grimston their speaker. On the 1st of May, Grenville presented to the two houses Charles's letters, accompanied with a document addressed to the whole nation—known by the name of the Declaration of Breda.

40. The Restoration. The reading of these letters, as well as the Declaration, excited the loudest acclamations in the parliament, and in order to spread the same satisfaction throughout the kingdom, the documents were ordered to be published immediately. The Declaration promised—

The
Declaration
of Breda.

1. A general amnesty, without any exceptions but such as should afterwards be made by parliament.
2. Liberty of conscience.
3. The settlement by parliament of all grants, purchases, and alienations made during the Revolution.
4. Liquidation of the arrears of the army under General Monk, and retention of the officers and men upon the same pay and conditions which they then enjoyed.

The two houses then voted, that by the ancient and fundamental laws of the realm, the government was and ought to be by King, Lords, and Commons; they invited Charles to come and receive the crown to which he was born, and they made liberal grants to him and his two brothers, the Dukes of York and Gloucester. Hale, the great judge, and Prynne, the learned lawyer, called upon the Commons to pause in their enthusiasm, and consider what propositions should be made to Charles, before the destinies of the country were committed to his guidance. But Monk strongly opposed them, the house supported him, and thus was lost the fairest opportunity which had yet presented itself, of

determining, by mutual consent, the legal rights of the crown, and of securing from future encroachment the freedom of the people.

On the 8th of May, Charles was proclaimed with great solemnity in Palace-yard, at Whitehall, and at Temple Bar; a committee of both houses was then despatched to the Hague, to invite him to return and take possession of the government; and the fleet under

Montague sailed to the Bay of Scheveling, to take him on board. On the 26th he landed at Dover, where Monk,

at the head of the nobility and gentry from the neighbouring counties, received him, and conducted him in triumphant procession to London. At Blackheath he was received by the terrible army of the Commonwealth, 30,000 strong; but the royal cavalcade passed on in safety; for the old discipline, against which no enemy had ever been able to prevail in the battle-field, was still supreme.*

On the 29th, his own birthday, the King entered London, and entrance into London. the streets were strewed with flowers, tapestry hung from the houses, the fountains spouted wine; the lord mayor and corporation came out in their civic dresses, and amidst huzzas, braying of trumpets and shouts of delirious joy, the restored monarch passed to Whitehall. Englishmen thus rejoiced that the government was at length established, as they fondly imagined, on the basis of their ancient constitution, and they looked forward to a reign of peace and security, of liberty and religion.

* Knight's Pop. Hist., IV., 238.

CHAPTER IV. HISTORY OF THE PEOPLE, DURING THE FIRST STUART PERIOD AND THE ERA OF THE COMMONWEALTH. 1603-1660.

SECTION I.—PROGRESS OF THE NATION.

1. Influence of the Civil War. The national progress, which had received such new and extraordinary impulses during the long and vigorous administration of Elizabeth, was not arrested by the troubles which ensued in the reign of Charles. The Civil War was too limited in time, and the proportion of the population engaged in it too small, to impede the general advancement. The land was tilled; manufactures went on; the judges went their circuits regularly; and although business suffered in London, yet even there, public order was strictly maintained. The distractions bore harder upon the country gentlemen than upon the tradesmen, every manor-house being liable to attack by one or other of the belligerents. The local organisation of the country, in short, was disturbed, but not destroyed; and the parliamentary leaders kept the people under a strict rule. The general circulation of money was increased by the war, and an impulse was given to production, by the increased consumption. The double taxation to which the people submitted, and which they were able to bear, shows that the national riches had considerably augmented. Besides the voluntary contributions of money, plate, horses, arms, victuals, and warlike stores, the monthly assessment imposed by the parliament produced, from 1640 to 1659, not less than £32,172,321, a larger revenue than had ever been collected in England from all sources during previous years. The excise, a new duty upon ale and wine, tobacco, groceries, and even provisions, produced £500,000 a year; tonnage and poundage yielded as much; the coal tax brought in £50,000 a year; the post office about £10,000; and the weekly meal £100,000. From all these additional sources of revenue, and from the sale of the crown and church lands, the sequestration of delinquents' and malignants' estates, and the feudal revenues, the revolutionary government drew, it is estimated, above £4,400,000 per annum.*

The Civil War did not materially affect the national progress.

Parliamentary taxes during the war.

* Pict. Hist., III., 525-526.

Yet, notwithstanding this exorbitant taxation, interest was lower and the price of land higher after the war, than they were before; the former having fallen from 10 per cent. under Elizabeth, to 6 under the Commonwealth; and the latter having risen from twelve years' purchase in 1621, to sixteen years' purchase in 1666.

The practice of banking was another result of the civil war. Formerly, merchants had kept their cash in the Royal Mint or the Tower; but Charles I. forcibly seized Commence-
ment of the
banking
system. £200,000 thus lodged in these places, before the Long Parliament met. This caused the traders to deposit their plate and money with the goldsmiths, who paid interest on the deposits, and gave receipts for them, which were calculated as money, like bank notes. Country gentlemen also remitted their rents to town for the same purpose, and the consequence was, that the London goldsmiths were able to advance Cromwell loans on the revenue, and to afford that accommodation to the government which is now given by the Bank of England. But there were no regular banking establishments as yet, like those which already existed at Amsterdam, and in Italy.

2. **Increase of Population and Growth of Towns.** The population increased more during the first forty years of this period than it did during the same number of years at the close of the previous one. The authority for this statement is contained in the books of the hearth tax, which show that at the Restoration there were not less than six and a half millions of inhabitants in England. Of the towns, London increased more rapidly than any other, both in extent and population, notwithstanding the proclamations which were issued against the erection of new houses, the resort of strangers, and the residence of the nobility therein. Among the country towns, Plymouth, Poole, Lynne, and Devonport were rising into notice; Birmingham, then called Bremicham, swarmed with inhabitants, and echoed with the noise of anvils; Halifax, which in 1566 had only 520 householders "that kept fires and answered the vicar," now contained 12,000 inhabitants; Sheffield was remarkable for blacksmiths; Manchester surpassed all towns thereabout in building, populousness, woollen manufacture, market-place, and church; but Huddersfield, Bradford, Bolton, Ashton, and other large towns of the present day, were beneath notice. Newcastle was the glory of all the towns in the north; but the manners of the borderers and people around were rude and barbarous.*

* Camden's *Britannia*, quoted in *Pict. Hist.*, III., 654-656.

1603-60

3. **Commercial Progress.** The commercial progress of England, however, did not fulfil the high promise which it had given during the reign of Elizabeth, owing, in some measure, to the rivalry of the Dutch, the wars with Spain and Portugal during the Commonwealth, the mischiefs which monopolies produced, and, no doubt, the political troubles of the country, and the war which followed. The Dutch, by their skill, industry, and commercial enterprise, monopolised the whole carrying trade of Europe. They transported the produce of Turkey, the East and West Indies, and of southern Europe, to the Baltic, and returned thence with corn, which they stored in Amsterdam till seasons of dearth in the countries of western Europe offered them good profits. They had possession of the most productive fisheries, also, even those on the British coast; they had the English foreign trade all to themselves; so that where they sent out a thousand ships, Englishmen seldom sent out a hundred, frequently not one.

The Dutch monopolised the trade of Europe.

Nevertheless, this era was an important one for trading companies. The East India Company traded to Persia, India, and Arabia, from which it imported spices, cotton, silks, rice, perfumes, rich woods, and precious stones. But its affairs were in a depressed state for a long time. Captain Lancaster, whom the company had sent out in 1601, in charge of its first adventure, reappeared in the Downs, September 11th, 1603, with the two largest of his four ships laden with pepper. No immediate advantages, however, resulted from this voyage; but in March, 1604, Sir Hugh Middleton took out the same four ships, and returned in 1606, with three of them laden with valuable cargoes. Still the profits were not equal to the large outlay required for such long voyages, and the mortality among the crews was so great, that most of the members of the company declined to make any further adventures. In 1607, a new company was formed, who, in 1611, were rewarded by the arrival of such a valuable cargo in the expedition under David Middleton, that they realised 211 per cent. Other voyages followed, some disastrous, and some profitable, until, in 1614, the company sent out a fleet of four ships under Captain Downton, which was followed next year by another small fleet, and the despatch of Sir Thomas Roe as ambassador to the Great Mogul, who gave them permission to establish a factory at Surat. Other factories were established after this in Japan, Java, Sumatra, Malacca, and other places, so that the Portuguese and Dutch took alarm, and disputes arose. The Dutch proposed that the English company should join theirs to carry on the trade jointly, and

Progress of the East India Company.

expel the Portuguese; but this proposition was rejected, although a treaty was concluded at London (1619), by which the trade of the two companies should be carried on under the superintendence of a *Council of Defence*, formed of members of both. The treaty was to continue twenty years, but did not last half as many months: for in the following December the Dutch governor-general suddenly attacked the English settlements on the islands of Lantore and Pulo Roon, and in February, 1623, the Dutch massacred some English and Japanese in Amboyna, on the pretence that they had conspired to drive them from the island, and rob them of the spice trade. This horrible transaction was followed by a long course of hostilities, the effects of which were so disastrous that although the company captured the Island of Ormus, in the Persian Gulf, from the Portuguese, they seriously thought of selling their stock, and retiring from the trade (1625). But in 1643 a new stock was subscribed; a settlement was made at Madras, and in 1651 the company took possession of St. Helena after its abandonment by the Dutch. These circumstances, however, improved its situation so little, that it was again on the verge of ruin; and its privileges were violated by a regular system of free trade to India, until Cromwell granted the company a new charter (1657), which enabled it to carry on the trade with spirit and success until the Restoration.*

Another trading corporation which flourished during this period was the Turkey Company, whose exports were English cloths and Indian spices, indigo and calicoes, and imports, raw silk, cotton, drugs, dried fruit, and oil. A third company was the "Ancient Company of Merchant Adventurers," who supplied Hamburg, Rotterdam, and several towns in the Netherlands, with English cloth, and imported tapestries, diaper, cambric, Hollands, lawns, hops, madder, wines, and other commodities. The "Eastland," or "Muscovy Company," chiefly exported cloth and minerals, and brought, in return, hemp, pitch, rosin, hides, furs, metals, timber, and grain. Besides these public companies, there were many private associations and individual adventurers trading to Italy, Barbary, Guinea, and the colonies.

4. Growth of Colonization. Although the attempts to establish colonies in the new world were so unsuccessful during the reign of Elizabeth, the merchants of London and Bristol persevered in the trade which had been opened with the territory around Virginia,

1603-60

especially after the year 1602, when Captain Gosnold made the first direct voyage to those parts, without sailing round about the West Indies, and through the Gulf of Florida, as had been the custom of previous navigators. The favourable accounts which he gave of the country, since called **Massachussets**, induced others to go out; and, in 1606, James chartered two companies, the first called *The London Adventurers, or South Virginia Company*, who were authorised to plant all the American coast between 34° and 41° north latitude; the second, called *The Plymouth Adventurers*, to whom was assigned the territory for four degrees north of the above. In the same year the London Company sent out Captain Newport, with 105 men, who founded James Town, on the river Powhatan, which they called James River. The settlers soon became involved in dissensions among themselves and with the natives, and they were so exposed to disease and famine, that, had it not been for the able conduct of Captain Smith, the colony would undoubtedly have perished. As it was, the numbers were soon reduced to forty. The men who had come out with him and Newport were chiefly gentlemen, and others unaccustomed to work; he, therefore, wrote to the company at home to send out workmen and agricultural labourers, and in the meantime he taught the gentlemen how to use the axe and the spade. In 1609 a fresh body of emigrants arrived, and Smith, disabled by an accident, returned to England. In the following year, Lord Delaware, appointed governor of Virginia by James, landed with a fresh body; and he was followed, in 1611, by a third band of settlers, under Sir Thomas Gates. A distribution of land to each emigrant, as his private property, gave a new stimulus to industry; the colony prospered; the Indian tribes in the immediate neighbourhood submitted, through the influence of Pocahontas, the daughter of Powhatan, the chief sachem of those parts. This maiden appears to have cherished a love for the strange Palefaces. She had formerly saved Smith from torture, when he had been captured by the Indians; she now married an Englishman in the colony, came to England and was baptised, and died on her voyage home. She left a son, from whom are sprung some of the leading families in Virginia. After this, the colony went on increasing; and though they had many disappointments, and, on one occasion, the inhabitants of most of the settlements were massacred by the Indians, the adventurers found the speculation profitable, and they had enough to do to keep out enemies and

The colony
of South
Virginia.

Founda-
tion of
James
Town

Pocahontas,
the Indian
maiden.

rivals. Their territory was invaded by the French, who, in 1608, had settled in Canada, and now crossed the St. Lawrence, and planted colonies in Acadia (Nova Scotia), and the country now called New England; and by the Dutch, who had built the town of New Amsterdam (New York), and the port of Orange (Albany), in what they called the country of New Netherlands. But both were dislodged in 1618, though the Dutch returned, and eventually made good their position.

The chief production of the colony of Virginia was tobacco, the cultivation of which was introduced from the West Indies in 1616, and led to the institution of slave labour. At first, the colony was entirely under the control of the company in London, subject, however, to the crown; but, in 1621, James granted the colonists a representative constitution. Charles made several other alterations in the company's charter; he also granted the colonists many new privileges, which caused them to remain faithful to the royal cause throughout the civil war.

The northern colony of Virginia, to which Prince Charles gave the name of New England, in 1614, when Captain Smith showed him a map of the country, and gave him very glowing accounts of its scenery and riches, did not make much progress, until the Brownists, or Independents, began to go out in search of a land where they might enjoy liberty of conscience, and be free from the persecution of the great and the ridicule of the licentious. The first band went out in 1620, in two vessels, called the *Speedwell* and the *Mayflower*, and consisted of about one hundred and twenty persons, who set sail from Delft-Haven, on the 22nd of July, after having received the benedictions and prayers of their pastor, John Robinson. After a long and stormy voyage, they reached Massachussets Bay in November, and, out of respect to the company in whose territory they landed, they named their settlement New Plymouth. They were not incorporated by royal charter, and, being a feeble community, they found it advisable to join themselves to the colony of Massachussets, which other members of their persuasion established under a royal charter, in 1629. The intolerant policy of Laud continually added to their numbers; and, in addition to the town of Salem, the building of which was begun in the above year, the foundations of Boston, Charlestown, Dorchester, Roxborough, and other towns, were laid. In each of these places a church, after the model of the Puritan fathers, was established; none but members of the church

French and
Dutch
colonies in
America.

The colony
of North
Virginia.

The Pilgrim
Fathers
found New
Plymouth,

and Massa-
chussets.

1603-60

were admitted as freemen, and a representative government was constituted, in which all freemen had the right of election. John Winthrop was the first governor, and after him the most distinguished was Sir Harry Vane (1636), in whose time a fierce religious controversy broke out, which led to the establishment of other colonies by those whom the church expelled. Thus arose Providence, Rhode Island, Connecticut, New Hampshire, Maine, and other settlements; the founding of which led to murderous wars with the natives, and to disputes with the Dutch, at Manhattan, or New Amsterdam. But the strong, earnest spirit of the colonists overcame all obstacles; about 1640, they began to export corn to the West Indies, to extend the fisheries, and to open an active commerce with England, which the Long Parliament greatly encouraged by exempting their trade from the burden of customs upon imports and exports to the mother country.

Besides these colonies, there were established, during the same period, settlements in the West Indies and other islands; in Barbadoes (1623); Jamaica (1625); and the Bermudas West Indian settlements. (1612). Colonies were also founded in South Virginia, as the two Carolinas, planted by Lord Arundel and others, in 1629; and Maryland, planted by Lord Baltimore, in 1632. These latter colonists were Roman Catholics, and the settlements, like those in New England, became the refuge of men who were driven from England by religious persecution.*

5. **Manufactures.** Many improvements were made, during this period, in the art of dying wool, in consequence of the establishment of Dutch and Flemish workmen in London, The woollen manufacture. Norfolk, and other places; and the weaving trade made great advances, so that after the Restoration, English cloths were equal to the finest broadcloths of the continent.

In the early part of the period, the cotton manufacture was planted in the kingdom, cotton wool being imported from the Levant, and used at Manchester, in the production of Cotton manufacture. mixed goods, *i.e.*, fabrics of which the warp was composed of linen, and the weft of cotton. The cottons and cotton velvets mentioned before this date were really composed of sheep's wool. Manchester was the chief seat of this new manufacture.

The silk manufacture attracted great attention; and active exertions were made for establishing it firmly in England. In 1608, James I. gave an impetus to it by encouraging the growth

* Heeren's *States-System*, 111-117; Robertson's *America*, II., 304-305; Bancroft's *History of the United States*, I., 313 et seq.

The silk trade. of mulberry trees, 10,000 plants being sent to each county. Most of the old mulberry trees now, or till lately, standing in England, including Shakspeare's famous mulberry, in his garden at Stratford, are supposed to have been planted at this time. But the breeding of worms did not succeed; the manufacture, however, made great progress, and in 1661, the company of silk throwsters in the metropolis employed about 40,000 workpeople.

Ironworks. The iron manufacture made considerable progress during this period, in consequence of the application of coal to the process of smelting—the invention of various machines for pumping water out of mines rendering that fuel cheaper. Coal was also used for other manufacturing purposes; and as the trade in it thus increased, a company was formed in 1637, to whom Charles I. gave the monopoly of buying all coal exported from Newcastle and the adjoining districts.

Of other arts, we may mention that alum was first made about 1603, and pocket watches began to be made in 1658. England became famous for its ordnance, which were chiefly manufactured in Dean Forest; glassmaking became one of the home manufactures, and shipbuilding was greatly improved, in consequence of the long Indian voyages requiring larger and more durable vessels.*

6. Travelling and means of communication. The progress of the nation in prosperity and national industry is further indicated by the introduction of various improvements in the means of transit and communication. In 1625, hackney-coaches made their first appearance in London, and became so fashionable that, ten years afterwards, the government took alarm at their general use, and endeavoured to diminish their number, on the ground that they were a nuisance to the nobility. In 1634, sedan chairs came in fashion, and were patronised by royal patent, because they protected the subject from the danger to which he was exposed by the crowded state of the streets, and the multitude of hackney-coaches!

Introduction of hackney-coaches. But a more important novelty was the establishment of a regular system of internal posts, in 1635. James I. had established the first post-office, for the accommodation of English merchants, in their transactions with the continental marts; but it was not before the above year that the home post-office was established. Its first object was to maintain a communication between London and Edinburgh. The journey

and sedan chairs.
Origin of the postage system.

1603-60

between these two cities occupied three days, and the post ran night and day. Letters were delivered at the intermediate towns *en route*; then by-posts were established, branching off from the main line, and running, at first to Lincoln, Hull, Chester and Holyhead, Exeter and Plymouth, and gradually extending to the whole realm.

SECTION II. GENERAL LIFE AND MANNERS.

7. Costumes. The style of dress during this period was very changeable. In the reign of James I. gentlemen continued to wear the steeple-crowned hat, richly adorned with feathers, or a jewelled hat-band; the ruff was changed for a neck-band of satin, called a *piccadil*;^{*} the jackets, or doublets, were short, stiff, and profusely ornamented with slashings and embroidery; and they had false hanging sleeves, like those of a modern hussar. The hose were of an immense width, and, in shape, like balloons; silk and thread stockings were generally worn by the gentry. The extravagance and costliness which had marked the attire of the courtiers during the reign of Elizabeth, were largely increased by her successor; and Taylor, the water poet, tells us that the nobleman wore

— a farm in shoe-strings edged with gold,
And spangled garters worth a copyhold;
A hose and doublet which a lordship cost;
A gaudy cloak three manors' price almost;
A beaver band and feather for the head
Prized at the church's tithe—the poor man's bread.

In the reign of Charles I., the unsightly costumes of his father's court were altogether set aside, and a style of dress exceedingly graceful was adopted. This fashion has been called after Vandyke, whose numerous paintings have made it familiar; its chief features were, a low-crowned Flemish hat, a peaked beard and moustache, and love-locks, wide trunks and hose, wider boots, a gorgeous sash, a sword and belt, and a splendid doublet, with a collar of fine lace turned over the shoulders. The Puritans adopted the same general form of dress, but the materials were of a sombre colour and coarse texture, the collar was of plain linen, and the famous sugar-loaf hat was substituted for the Flemish one.

* Piccadils, or peccadilloes, meant also the edges or hem of a garment; they were sold at a well-known shop in London, from which the street so called received its name.

The ladies of James I.'s court continued to wear the enormous fardingale, the standing collar, and buckram bodice of the previous reign. Ruffs, however, were discontinued after Mrs. Turner, a milliner, appeared in them on the scaffold, when she was hanged for poisoning Sir Thomas Overbury. The hair was frizzed and crisped until 1640, when it was allowed to fall gracefully over the shoulders; under Charles I., also, the fardingale ceased to be worn, and female dress, like that of the gentlemen, became very graceful in style. Puritan ladies discarded the ringlets, gay embroidery, and rich ornaments of the Royalist dames, and they either covered their heads and half of their faces with a close-fitting cap or coif, or wore a high-crowned hat.

During this period, armour ceased to be worn, owing to the general introduction of fire-arms. Only the head, back, and breast were defended by plates, which were made bullet-proof: buff coats, gauntlets, and jack-boots (*i.e.*, high boots of jacked leather), covering the rest of the person. Troops so armed were called cuirassiers, and, besides them, there were in the English cavalry, lancers, harqubussiers or carabineers, and dragoons. This classification was copied from the French, who had adopted standing armies long before this. The modern firelock was invented about the year 1635; the improvement being suggested by a peculiar fire-arm called the *snaphaunce*, used by the Dutch marauders called *snaphans*, or poultry stealers. The musket rest, and the swine's feather, the precursor of the bayonet, were abandoned after this.* The pike and the musket were the favourite weapons of the London trainbands.

8. Manners of the Court and Aristocracy. The English court, during the reign of James I., has already been described as drunken and dissolute; and its manners were altogether more rude and unpolished than when Elizabeth presided over it, with so much pomp and state. Masques and emblematic pageants were the favourite amusements; but the above King was also fond of hunting, and it was he who began horse-racing in England, at Newmarket.

The court of Charles was much purer than that of his father; but throughout the whole period the manners of the nobility and Cavaliers were licentious and extravagant. Sumptuousness of dress and personal ornament, long trains of servants in rich liveries, prodigal feasting and riotous living, ruined many a nobleman, and excited the bitterest invectives of the Puritans. The household

* Pict. Hist., III., 618-620; Comprehensive Hist., II., 630-631; Planché, 274-293.

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expenditure of James I. was twice as much as that of his predecessor, amounting to £100,000 annually; he figured almost daily in a new suit, and the garments which his favourites wore were covered with pearls and diamonds, in many cases to the value of from £20,000 to £80,000. Ladies' dresses cost often £50 a yard. While money was thus thrown away upon apparel, it was further squandered in gambling. Swearing, drinking, brawling, and intriguing were the most courtly accomplishments; and in the taverns, which were dens of filth, tobacco smoke, roaring ^{Tavern scenes.} songs, and roysters, women of rank allowed themselves to be entertained, and they tolerated those freedoms from their admirers which are described with such startling and terrible vividness in our old plays. The shops of the milliners and perfumers were noted places of assignation; and one notorious haunt of this kind, Spring Garden, was at length shut up, by command of Cromwell. Foppery was another vice of the upper classes. Court ladies spent the half of every day ^{Fopperies.} in making themselves fine, in patching and painting their faces; fashionable gentlemen endeavoured as much as possible to make themselves effeminate, and they aped the women in their manners and personal appearance. They attired themselves in fluttering ribbons, and in a blaze of jewellery; they were redolent in scent and perfume; their pockets were filled with sweetmeats for their lady friends, whose countenances they imitated in paint and patches; and sometimes they affected the character of a hero from Germany or the Low Countries, by carrying one of their arms in a sling.*

9. The Country Gentlemen. In contrast to these frivolities, the country gentlemen still retained the manners of the Elizabethan age, which we all know and love so well as those of the "fine old English gentleman." In the old English manor-house, the family rose at day-break, and assembled for prayers, which were read by the domestic chaplain. After breakfast, the squire ^{An old English manor-house.} and his sons went off to hunt the deer, while the lady and her daughters superintended the dairy or the buttery, prescribed the day's task for the spinning-wheels, dealt out bread and meat to the poor at the gate, and concocted simples for the sick and infirm of the village. Confectionery or the making of preserves, sewing or embroidering some battle or hunting piece which had been commenced in the previous generation, probably occupied the rest of the day. At noon, the large bell rang a loud welcome to

* Pict. Hist., II., 629-633; also the plays of the period.

the house and surrounding neighbourhood to come to dinner; and sack or home brewed October was drunk freely afterwards. If the weather was unfavourable for out-door recreation, the well-thumbed books of the library were read; Fox's Acts and Monuments, Froissart's Chronicle, the Merrie Gestes of Robin Hood, Hall's or Hollinshed's Chronicles, the Seven Champions of Christendom, and others which had, very likely, issued from the press of Caxton or Wynkyn de Word. At Christmas, open house was kept, for the squire loved to rejoice the hearts of the poor at such a season, and to see the whole village merry in his great hall. He allowed a double quantity of malt to his small beer, and set it a running for twelve days to every one that called for it; a piece of cold beef and a mince pie were always upon the table for every comer, and no man delighted the generous benefactor so much as to see his tenantry pass away an evening in playing their innocent tricks, and smutting one another, while he and his wife and children danced and made merry with all.* But all this gradually passed away after James succeeded to the throne; the country gentlemen rushed to the metropolis, and remained there, in spite of royal proclamations, which ordered them to live upon their own estates; and thus all the old English rural games and customs were forgotten, while ancient manors tumbled to decay, fortunes that had accumulated for generations vanished, the hereditary estates of centuries became the property of men of yesterday, and the names of the most ancient families disappeared from the scroll of English heraldry.†

10. The Puritans. As the excessive levity and recklessness of the Cavaliers were in part provoked by their disgust at the demureness and hypocritical sanctimoniousness, as they deemed it, of the Puritans, so the austerity and sourness of the latter were in some measure excited by the prevalence of a contrary temper among their opponents. While the Royalists paid increased devotion to their long hair and the curling of their love-locks, and dressed in gayer clothing and richer lace, the Roundheads could not find garments sufficiently sad in colour and homely in cut. They clipped their hair so close that their ears stood out in strong relief, and their naked countenances were rendered more grim and ghastly. If any of their brethren had ruddy cheeks, they suspected their character; and Colonel Hutchinson was always

* Addison's essays in the Spectator on Sir Roger de Coverley.

† Pict. Hist., II., 630; see the ballad of "The Old and Young Courtier," in Percy Reliques, II., 336.

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contemned by them as a lukewarm adherent, because he dressed well and wore long hair. To separate themselves still more from the worldlings, they spoke with a slow drawling speech, and in a strong nasal twang; they affected a preference for Hebrew forms of speech to the idioms of their mother tongue; they baptised their children by the names, not of Christian saints, but of Hebrew patriarchs and warriors; and their morals and manners were those of the synagogue. Their dress, deportment, language, studies, and amusements were not unlike those of the Pharisees; it was a sin to hang garlands on a May-pole, to drink a friend's health, to fly a hawk, to hunt a stag, to play at chess, to wear love-locks, to put starch into a ruff, to play a musical instrument. When, therefore, this rigid sect obtained power, sharp laws were passed against all these things. Public amusements, from the masques at court to the wrestling and grinning matches on village greens, were abolished; May-poles were hewn down; theatres were closed, and actors whipped at the cart's tail; rope dancing, puppet shows, bear baiting, bowls, and horse racing were done away with; and Christmas, with all its immemorial usages, and Christian charities and sympathies, was ordered to be strictly observed as a fast.* To keep up social excitement, however, they substituted for the national amusements thus proscribed, incessant religious services, and sermons of enormous length, in which the preachers expatiated largely upon spiritual joys and terrors, and ^{Puritan} ^{preachings.} upon the news of the day. The eager congregation hung upon the lips of such preachers; they projected their heads, put their hands behind their ears, and stretched their necks, that they might not lose a single word; and whenever they were pleased, they expressed their delight by a loud buzzing hum. When the preacher "took pains," as it was said, he threw off his cloak, and laid about him like a thresher, and

Pulpit drum ecclesiastic
Was beat with a fist instead of a stick.

Punning and witticisms were often perpetrated in these discourses; and if a preacher could make his audience grin by quoting a text which bore some whimsical allusion to his subject, he was highly applauded. In this manner it was that Hugh Peters, the Protector's chaplain, became so popular; he had been an actor before he became a divine, and thus was enabled to succeed as an ecclesiastical buffoon.†

* Macaulay, I., 84-166. † Piet. Hist., II., 296.

It is not pretended, however, that all the Puritans were superstitious, crack-brained persons; given up to enthusiasm; or cunning men, who assumed the garb and dialect of Scripture, in order to dupe others into a belief of their purity and sanctity.

But the description here given of them refers to those Character
of the real
Puritans. hypocrisies which generally resulted from the tenets they held, the professions they made, and the manners they adopted. That the sincere Puritans—and there were very many—aimed at a real reformation, and were inspired with a heavenly purpose, cannot be denied; they desired “to see God’s own law, then universally acknowledged for complete as it stood in the Holy Written Book, made good in this world”; to see God’s will done on earth as it is in heaven.* This was the general spirit of English Puritanism in the seventeenth century, although it was sadly disfigured by many strange excesses, and base hypocrisies.

11. **City Tradesmen.** The profits derived from trade and the useful arts had now become so great, that commerce had almost ceased to be degrading; the nobility and gentry began to intermix by marriage with the mercantile classes, and to bind their sons apprentices to the city merchants. But the courtiers and higher aristocracy still regarded the tradesmen with disdain, and no fashionable comedy was considered to be complete unless some vulgar flat-cap was introduced, to be robbed of his “daughter and his ducats” by some needy and profligate adventurer.

The London shops were little better than booths or cellars; there were no doors or windows, and instead of a signboard, the master or his apprentice paraded before the door, rehearsing a list of the articles he sold, and crying out to the passers by, “What d’ ye lack, sir? What d’ ye lack, madam? What d’ ye please to lack?” The goods were huddled up in bales and heaps, without any display, as in a marine store or broker’s shop. The hours of business on the Exchange were twelve o’clock at noon, and six in the evening; and at nine o’clock Bow bell rang the signal for servants to leave off work, and repair to supper and bed. A royal merchant, or magnifico, was styled Master; sometimes Worshipful, as a compliment; but never Gentleman or Esquire, except in ridicule. The carrying of lights in the dark streets also marked the social grades; courtiers had torches, merchants and lawyers, links, and mechanics, lanthorns. The great prize mercantile ambition was to become lord mayor of London.†

The apprentices still continued to be the great civic nuisance,

* Carlyle’s *Cromwell*, I., 62-63.

† *Pict. Hist.*, III., 634.

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being ever ready to aid an affray, riot, or other commotion. They had frequent feuds with the students of the Inns of Court; and they often administered further justice upon those offenders who, in their estimation, had not been sufficiently punished by the regular tribunals. Many of these youths, after having thus sown their wild oats, grew into sober, rich, and respected citizens; but many also retained their profligate habits, were expelled from their employments, and became bravos, ready to be hired for any desperate deed.

12. **Alsations, Thieves, and Highwaymen.** The number of profligates, thieves, and men of no evident occupation, then living in the metropolis, was enormous. The locality where they dwelt was called *Alsatia*,* and, at night, the dark streets swarmed with them. Roaring boys, Privadors, Bonaventors, Portingale captains, who had cruised as pirates against the rich carracks of Portugal, the successors of the Swashbucklers of the Elizabethan age, and the predecessors of the Mohawks of the eighteenth century, were some of the titles given to these men. They were the refuse of every rank, equally ready to cut a purse or a throat, and utterly indifferent as to which it was. Their chief occupation was to insult, wound, and kill passengers on the streets, and unroof the houses of rich citizens for the purposes of plunder. Another class of thieves and robbers was, the coneycatchers, cheats who attended every wake and fair, and plundered out-houses and poultry-yards as they traversed the country. The Savoy and the brick-kilns of Islington were their favourite haunts. Cozeners, cut-purses, foysters, and nippers, were appellations of other rogues who practised every kind of thieving, swindling, and kidnapping, with even greater dexterity than their successors of later days. While the streets of London were thus infested, the highways were equally dangerous; bands of robbers, armed with pikes and fire-arms, scoured the country in every direction; and to escape justice, they disguised themselves with visors, wigs, and false beards, and even had false tails for their horses. After the civil war was over, many of the impoverished cavaliers became dashing highwaymen; the chief places they infested being Salisbury Plain, and Gadshill, in Kent. When such was the state of the country as regarded its police, the office of a magistrate was no sinecure; and the prisons of London were so regularly overcrowded that the jail fever broke out periodically, and thus carried off those whom the gibbet did not destroy. The night watchmen and

* This was in Whitefriars, which still possessed the right of sanctuary.

constables thus had a most dangerous office, but they were well armed with partisans, and they made no ceremony in knocking a bully or a gallant on the head, so that, as an old writer quaintly observes, many "summed up their days at the end of a watchman's bill."*

13. Diet and Mode of Living. The private character of James I., and his mode of life, did not tend to refine or elevate the manners of the courtiers; but, on the contrary, rather brutalised them, and led them into very gross and extravagant habits. No dish was valued except it was smothered in butter, ambergris, cream, and marrow, or enriched with lemons, oranges, dates, and dried fruits. A herring-pie seems to have been a dainty dish, and was filled with all sorts of villainous compounds; snails, also, and the legs of frogs, were stewed or fried in a variety of ways, with oil, spices, wine, vinegar, and eggs. During the Commonwealth, the intemperance in eating and drinking which had disgraced the reigns of James and his son, was discontinued; the dishes were simple, but often coarse; a pig stewed in a coating of clay among the hot ashes of the stoke-hole, Scotch collops, sausages, and marrow puddings, being standing dishes on the Protector's table. Elaborate French dishes were also served up, but only for show. The Danish custom of drinking healths, introduced by Christian, King of Denmark, when he visited King James in 1606, was prohibited by the Puritans; but, after Cromwell's banquets, there generally ensued much boisterous merriment, though no music but that of trumpets and drums enlivened the feast. Potatoes, introduced into Europe after the discovery of America, were as yet very rare, and cost 2s. a pound; in 1619, they formed, for the first time, a dish on the royal table. Cauliflowers cost more than a shilling each; and artichokes were 16 for 3s. 4d. Tea was not imported to any extent before 1637, when the charter of the East India Company was renewed. Coffee and sugar were not unknown, but they were luxuries confined to a very few.

14. Houses and Furniture. The common dwelling-houses of the seventeenth century were, for the most part, in the same condition as they had been in the previous century, being still built of lath and plaster, with gay and flimsy fronts of stucco-work. The government often interposed, to enforce a better style of building. James I., like his predecessor, issued proclamations, commanding brick or stone to be used in all street fronts, and

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some houses of note were erected as examples of the new mode of structure. Specimens of the old timber houses of this period are very common in York, Chester, Newcastle, and other old towns.

The modern classical style of architecture dates from the reign of James I., and owes its establishment in this country to Inigo Jones, the architect. He was born in London in 1572, and, after having resided in Italy for several years, ^{Inigo Jones} during the period when architecture attained its zenith, returned to England, and was warmly patronised by James. The peculiar style which he introduced is called the *Palladian*, from Palladio, the celebrated Italian architect, under whom he studied. His chief works were, the Banqueting House at Whitehall, the only fragment erected of his splendid design for a palace at Whitehall; Heriot's Hospital, at Edinburgh; part of St. John's College, Oxford; the portico of Old St. Paul's, &c.* He died in 1652.

In the interiors of houses, the large and stately saloons and galleries began to be decorated with paintings and sculpture. As early as 1615, the Earl of Arundel ^{Picture galleries.} collected statues and pictures, and his gallery at Arundel House was the first collection of art treasures in Great Britain. He lived to see them scattered by the Puritans; but they were preserved to the country; the statues and marbles being now at Oxford, the busts at Wilton, and the gems at Marlborough House. Charles I. was also a large purchaser of paintings, and his galleries were adorned with several of the finest works of Raffaele, Titian, Correggio, and Guido. He brought Raffaele's cartoons into England, and invited Vandyke to his court. Mytens was another artist whom he encouraged; and Rubens painted for him the ceiling of the Banqueting House. When mansions were thus so grandly decorated by the best artists of Europe, we may expect to find domestic furniture exceedingly sumptuous. ^{Furniture.} Rich embroidery was used for curtains and bed-hangings; tables were covered with rich carpets from Turkey and Persia; although the floors were overlaid with rushes and mats. Chairs, tables, couches, wardrobes, &c., were made of the hardest and finest woods, richly carved and polished; and china-ware was regularly imported by the East India Company.

* Pict. Hist., III., 571-573.

SECTION III.—LITERATURE, LEARNING, AND EDUCATION.

15. **Education.** The literary education of youth was still confined almost wholly to Latin and Greek. Discipline was extremely rigid, and the fame of being a “learned and lashing master” was generally esteemed the highest commendation. To modify this severity, certain seasons of saturnalia were allowed, when such customs as that of barring-out the schoolmaster were observed amidst riot and glee. Another was the Eton The Eton Montem. Montem, which probably originated in the festival of the Boy-Bishop, and was practised as early as the reign of Elizabeth. The study of modern languages, especially that of Italy, was gradually introduced, and also the study of philosophy, which soon acquired that sound practical character which Bacon’s *Novum Organum* was so well calculated to impart. The military customs of chivalry still retained an important place in education, and the young nobility were trained, by skilful professors, in fencing, vaulting, shooting with the musket and cannon, and sometimes even in the use of the bow, and mounting the great war-horse. In the intervals of study, also, the pupils were taught to perform military evolutions and to use arms, by regularly appointed drill-sergeants of skill and reputation. When the whole round of education was finished, travelling on the continent succeeded; care being taken by the government that the tourists did not reside long in those cities where popery and Jesuitism predominated.

A chivalrous education still given.

The education of females had much deteriorated since the reign of Elizabeth; and ladies, during this period, fell from the high position they had occupied under that able princess.*

16. **Dramatic Literature.** At the commencement of the second half of the sixteenth century, England could boast of little in the shape of dramatic literature, besides the Scripture *mysteries*, and the more popular *moral plays*. The latter furnished abundant opportunities for satire on the times, for ludicrous humour, and for attacks on the old or the new religion. They, therefore, gradually drew nearer to regular comedies, the earliest of which,

* Pict. Hist., III., 632.

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properly so called, was "Ralph Royster Doyster," written by Udall, one of the masters, first at Eton, and afterwards at Westminster. The author calls it a "comedy of interlude," which latter title was the name given to those dramatic productions that appeared in the transition period, when the moralities were undergoing the change above mentioned. The chief writer of these *interludes* was John Heywood.* Another celebrated piece among the early comedies was "Gammer Gurton's Needle," written about the year 1565, by Still, Bishop of Bath and Wells, as is commonly supposed.

Ralph
Royster
Doyster.

Gammer
Gurton's
Needle.

It is impossible to conceive anything meaner, in subject and characters, than this strange farce; but the progress of literature soon excited, in one person, an emulation of the ancient drama, and Sackville, in writing the tragedy of "Gorboduc; or, Ferrex and Porrex," has the honour of having led the way. The story, which is borrowed from our fabulous British legends, is full of slaughter, as was then customary in dramatic writings, but the language is vigorous, the political maxims are grave and profound, and it is evidently the work of a powerful mind. It was first represented before Elizabeth, in 1562.† Many other dramas now followed; in 1546, a Master of the Revels was first appointed to regulate their representation before the court; and regular theatres arose, in which they were publicly exhibited.

The
tragedy of
Gorboduc.

The immediate precursors of Shakspeare now appeared—Peele, Marlow, Greene, Lily, Kyd, Lodge, and Nash, who may be considered as the real founders of the modern English drama.‡ Marlow was the greatest of them. He was born in 1562, graduated at Cambridge, and, in 1586, produced his tragedy of "Tamburlaine the Great," which has more spirit and poetry than any which preceded it; has more action on the stage; a shorter and more dramatic dialogue, a more figurative style, and a far more varied and skilful versification. A better kind of blank verse was used in it; so much so, that Marlow has been said to have re-established this species of composition; it certainly became, in his hands, the finest instrument that the tragic muse had yet employed in any country. "The Jew of Malta," "Faustus," and "Edward II.," are other works of this writer, better known. His life was like his writings, wild, fervid, and erratic; and he came to a melancholy end in a tavern fray, at the early age of thirty-one (1593).

The
dramatists
before
Shakspeare.

* See Pict. Hist., III., 579, for description of one.

† Hallam's Literary Hist., II., 267; Pict. Hist., III., 582.

‡ Hallam.

Much as Marlow and his contemporaries did for the drama, the latter remained incomplete till their great master came—

William Shakspeare, who was born at Stratford-on-Avon, in Warwickshire, in April, 1564. Although we know

*Sketch of
Shakspeare's
life.*

him better than any other writer, we scarcely know anything of his history. His boyhood and youth were spent in rural life; at the age of eighteen he married; and about 1587, being then twenty-three years old, he repaired to London, after which we cannot trace him distinctly for some time. We first find him one of the proprietors of the Blackfriars Theatre; and, in 1598, he had already produced his best plays, and had acquired the character of being by far the best English dramatic writer of his day. At the same time his fortune seems to have kept pace with his reputation; he had property in several theatres, and lived the life of a gentleman and a courtier, was patronised by Elizabeth, and was an acquaintance of the highest characters of her court. But his chief delight appears to have been to mingle with the learned and intellectual of the day; and, at the club at the Mermaid tavern in Friday-street, Cheapside, which was founded by Sir Walter Raleigh, he met Ben Jonson, Beaumont and Fletcher, Cotton, Carew, Selden, Donne, Martin, and most of the great wits and scholars of the day. At the age of forty-eight, he retired to an estate which he had purchased in the neighbourhood of his native town, and, four years afterwards, died in 1616.

It is unnecessary, in a treatise like this, to offer any remarks upon the works of a poet so universally known and read, and we shall, therefore, pass on to his contemporaries, first among whom stands

Ben Jonson. He was educated at Westminster School, and passed through Cambridge. He then adopted the trade of his stepfather—that of a bricklayer; married at twenty, and became a dramatic author; his comedy of “Every Man in his Humour” being brought out at the Rose Theatre when he was twenty-two (1596). Unlike Shakspeare, who had generally drawn his comic scenes from Italian novels, or laid them in foreign countries, Jonson founded his play upon the manners of English life which he saw before him, and it, therefore, ranks as the earliest of European domestic comedies deserving remembrance.* Although it was the earliest of his productions, it is also the best; and next to it are “The Fox,” “The Alchemist,” and “The Silent Woman.” But the chief works of Jonson were the masques which he wrote for the diversion of the court of James I., by whose death

* Hallam's Lit. Hist., II., 287.

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he lost a liberal patron; although Charles I. increased his pension as poet-laureate, and added the tierce of wine which, until lately, it was customary to give to that officer. Jonson died in 1637, and was buried in Westminster Abbey. As a poet, he was the very contrast of Shakspeare, depending less upon nature for the emotions he wished to describe, and more upon his books, and those stores of erudition that were so fully at his command. His tragedies are stately classical declamations, and his comedies merely the transcripts of London life and character, as they existed in his own day. Still, as dramas constructed upon the Roman classical model, they are far superior to the comedies of Plautus and Terence, from whom he had learned the principles of his art.

After Jonson, Beaumont and Fletcher rank next as dramatic writers; they generally combined in writing the same play, and their chief works are, the "Faithful Shepherdess," the "Woman Hater," and the "Wild Goose Chase." As ^{Beaumont and Fletcher} poets, they are more fervid and imaginative, and as delineators of character, more natural than Jonson; but they want his regularity and correctness. Yet in richness, variety, and creative power, their works stand next to those of Shakspeare. But to enumerate all the dramatic writers of this period, whose productions are deservedly worth remembrance, would occupy too much space here, and we must conclude with merely mentioning Massinger, the author of "A New Way to Pay Old Debts," and "The City Madam," still represented on the stage; ^{Massinger.} Chapman, who wrote "Eastward Hoe;" Webster, who wrote the well-known "Duchess of Malfi;" Middleton, Ford, Decker, Rowley, and Shirley. One grave blot defiles the works of nearly all these minor dramatists; many of their scenes are full of gross obscenity, so that no one in these days would dare to outrage our sense of propriety by republishing their works entirely.

17. *Poetical literature.* The English poets of this period are very numerous, though the greater part of them are not familiar to the general reader. They have generally been arranged into schools, according to the nature of their works. The *allegorical and imaginative school*, the founder of which ^{The allegorical poets.} was Spenser, claimed, as its chief writers, Giles and Phineas Fletcher, two brothers, clergymen, and ardent admirers of the Faerie Queen. The latter wrote the Purple Island, an allegorical description of the body and mind of man; the other, Christ's Victory and Triumph, in which is a description of the Cave of Despair, very celebrated. Milton's Paradise Regained is

similar in style to this latter work. As the taste for allegorical personification was rapidly declining when these two brothers wrote, they were never much read. The English, indeed, had become a deeply-thinking, a learned and philosophical people, and hence arose two other schools of poetry, the *philosophical*, and the *metaphysical*, of which Sir John Davies, the author of a poem on the immortality of the soul, published in 1599, was the founder of the first; and Denham, who wrote the well-known poem called *Cooper's Hill* (1643), its most famous disciple. So far as English poetry is concerned, Denham's poem is original in its plan. It is a survey of the scene, as viewed from the eminence from which it derives its name; and Windsor Castle, London, the Tower, and the Thames, with a stag-hunt, and other incidents, form the chief subjects of the work. Pope styles the writer the "majestic" Denham. The founder of the metaphysical school was Dr. Donne, who hardly deserves the name of poet; Cowley is the most conspicuous model of the school, his amatory poem, called the *Mistress* (1647), belonging to it. He also wrote the *Pindaric Odes*; but, as he was more the poet of art than of nature, his reputation has considerably declined. Many, however, who wrote better than he, did not possess so fine a genius.

The poets of *historical*, or *fabulous narrative*, formed another class, chief among whom was Drayton, whose most famous work was the *Polyolbion*, partly published in 1613, and partly in 1622. It contains a topographical description of England, illustrated with a prodigality of historical and legendary erudition, and is written with extraordinary ability, in clear, strong, various, and sufficiently figurative language, which is well sustained throughout.

Among the *lyrical* poets of this period, both Shakspeare and Jonson deserve mention, on account of their sonnets; but the greatest name in this class is that of Milton. He was born in London, on the 9th of December, 1608; educated, first at St. Paul's school, and then at Christ's College, Cambridge, where he graduated, in 1632, and then returned home, his father, who had realised a fortune as a scrivener, having, in the meantime, retired to his estate at Horton, in Buckinghamshire. At the end of five years, Milton published his *Comus*, a masque full of the brightest hues of fancy and the sweetest melody of song. The *Arcades*, *Lycidas*, *L'Allegro*, and *Il Penseroso*, were also written during these five years, at the

The meta-
physical
poets.

The
narrative
poets.

The lyrical
poets.

Milton.

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end of which he commenced his travels through France and Italy, and returning in 1639, opened a private school, in London. His first marriage was not a happy one, which led him to write his *Tracts on Divorce*. In 1644, he wrote his celebrated *Tractate on Education*, and his *Areopagitica*, a speech for the liberty of unlicensed printing. In the following year was published the first collection of his early poems; his *Odes and Sonnets*, of which Hallam observes that the *Ode on the Nativity* is perhaps the finest in the English language. For the next ten years, Milton's time was taken up by his political exertions; for he was a strong Puritan, and an inexorable opponent to the established church and the monarchical government, having been all his life under the influence of Puritan connections. He was appointed Latin secretary to the Commonwealth, and wrote in its defence his *Eikonoklastes*, or *Image-breaker*, in answer to the famous *Eikon Basiliké*, or *Royal Image*; and the two *Defences of the People*. His *Paradise Lost* and other works, not being published till after the Restoration, will be noticed in a succeeding chapter. He died November 10th, 1674, and was buried with unusual marks of honour in the chancel of St. Giles's, at Cripplegate.

After Milton, the most famous of the lyrical poets were Wither, Herrick, Herbert, Fairfax, Suckling, Carew, and Drummond of Hawthornden.*

18. **Prose Literature.** The prose literature of this period was largely influenced by the religious spirit which entered into every dispute; and it was in theology, more than in any other department of learning, that the master-spirits of the age appeared. According to the sense in which the word was then taken, this first half of the seventeenth century was the most *learned* age which Europe had ever seen, and the studious ecclesiastics of both the Romish and Protestant denomination poured forth a prodigal erudition in their great controversy. It was the fashion to hold disputations before princes, and noble lords and ladies; and as these disputations depended less upon reason and Scripture, than upon the testimonies of the fathers and Catholic traditions, it happened that many Protestants went over to the Church of Rome. Chief among these was Chillingworth, who returned to the Protestant communion, when he became convinced that the infallible teaching which he had sought in the ancient faith could not be found. With this conviction he wrote his immortal work, *The Religion of Protestants a Safe Way to*

Writers
on contro-
versial
theology.

Chilling-
worth.

* Hallam's Lit. Hist., chap. v., part iii.

Salvation (1637), in which he asserted, with irresistible logic, that the authority of Scripture was the sole rule of faith against ecclesiastical tradition. A still more intrepid champion in the

Hales. same cause was the ever-memorable John Hales, who, in his little tract on schism, strongly protested against church authority, as compared with Scripture, in its obligation upon Christians.

The aim of these men was to bring about a more comprehensive communion, and thus they prepared the way for religious toleration, the first advocacy of which is claimed by the Arminians of Amsterdam, and the Independents of England. But the first most famous plea for tolerance in religion, on a comprehensive basis, and on deep-seated foundations, was the *Liberty of Prophecy*,

Jeremy Taylor. by Jeremy Taylor, published in 1647. This divine was the glory of the theologians of this age; he suffered much for advocating the fallen causes of episcopacy and royalty; but after the Restoration enjoyed, for a short period, a position of ease and dignity, as Bishop of Down, Connor, and Dromore. He was the most eloquent preacher of his day; and no books in the language have, perhaps, been more extensively read than his works on *Holy Living* and *Holy Dying*. His sermons also are generally known; those on the *Marriage Ring*, *The House of Feasting*, and on the *Apples of Sodom*, may be mentioned, as excellent specimens of his genius and eloquence.

Another writer as distinguished in works of practical piety, was Hall, Bishop of Exeter and Norwich, whose *Art of* Hall. *Divine Meditation*, and *Contemplations*, are not unlike Taylor's writings in style, fertility of illustration, and profusion of learning. Dr. Donne, Dean of St. Paul's; Howe, the learned and eloquent chaplain of Cromwell; Andrews, the Bishop of Winchester; and Usher, the Primate of Ireland, are also deserving of mention, for their scholarship and theological works.

In polite literature, a great improvement began during this period; we meet with fewer obsolete expressions and forms; the style is nervous and effective, but it is less graceful and more pedantic than that of the preceding age. The chief works of this class are, Raleigh's *History of the World*, Clarendon's *History of the Great Rebellion*, May's *History of the Parliament*, Burton's *Anatomy of Melancholy*, and the *The Characters* of Sir Thomas Overbury. The famous *Ikon Basiliké*, ascribed to Charles I., but really written by Bishop Gauden, may also be mentioned. It is a series of meditations, purporting to have been drawn up by

Polite
Literature.

1603-60

the King, upon the leading troubles of his reign. A strain of majestic melancholy is well kept up in it; but the personated sovereign is too theatrical for real nature, the language is too rhetorical and amplified, and the periods too artificially elaborated.* Among the philosophical writers of this period, it is hardly necessary to state that Lord Bacon stands chief, whose great work, the *Novum Organum*, exploded the Aristotelian form of reasoning, and restored to its natural pre-eminence the philosophy of reason, truth, and nature. His inductive method of reasoning from scientific experiment and observation of facts, began to mark distinctly the study of natural philosophy, and it led Harvey, physician to both James and Charles, to discover the circulation of the blood. Philosophical writers.

The age, indeed, was one of great scientific attainment; it was the age of Galileo, who discovered the satellites of Jupiter, the ring of Saturn, and the phases of Venus; of Kepler, famous for his discoveries of the laws of planetary motion; of Napier, the inventor of logarithms; of Descartes, the celebrated mathematician; and of Hobbes, the equally famous author of the *Leviathan*, a work on metaphysics. Horrox, a young Englishman, of extraordinary mathematical genius, was the first who beheld the transit of Venus in Europe, on the 4th of December, 1639, the very day on which he had predicted, from calculation, that it would happen. Harriott, another Englishman, who first discovered the solar spots (1610), also introduced the use of small letters in algebra, and made many discoveries in the nature of equations; and Torricelli, by his discoveries in hydrostatics and pneumatics, invented the barometer and the common pump. Kepler's discoveries, also, in optics, led to the invention of the telescope; Galileo invented the microscope; and either Horrocks, or his friend Gascoigne, who fell at Marston Moor, invented the micrometer, and first applied the telescope to the quadrant. Scientific discoveries.

* Hallam's Lit. Hist., III., 376.

THE SECOND STUART PERIOD; OR, THE PERIOD OF THE RESTORATION AND THE REVOLUTION.

1660 TO 1689.

TWENTY-NINE YEARS.

Charles II. reigned $24\frac{3}{4}$ years ; from 1660 to 1685.

James II. ,, $3\frac{1}{4}$,, ,, 1685 to 1689.

CHAPTER V. THE REIGN OF CHARLES THE SECOND.

CHARLES II. *Reigned* twenty-four years eight months and one week, from 29th May, 1660, to 6th February, 1685. *Born* 29th May, 1630. *Married* Catherine of Braganza, 21st May, 1662. *Died* 6th February, 1685. *Buried* in Henry the Seventh's Chapel, Westminster.

SECTION I.—DURING THE ADMINISTRATION OF LORD CLARENDON. 1660–1667.

I. PROCEEDINGS OF THE CONVENTION PARLIAMENT.

1. **The Act of Indemnity.** Four subjects of great importance and difficulty occupied the Convention Parliament, from the day of the King's return till its dissolution in the following December. These were, a general indemnity; the restoration of the church and crown lands; the settlement of the revenue and the abolition of military tenures; and the re-establishment of the church.

The general pardon promised by Charles in his Declaration from Breda, was not understood by him and his advisers to include any who had been immediately concerned in his father's death, and therefore the four exceptions which Monk had proposed were extended by the Commons to twenty. As their loyalty grew warmer, they added to this number all the judges of King Charles who did not surrender themselves, in obedience to a royal proclamation which was issued on the 30th of June. The Lords were still more vindictive; they condemned all who had ever sat in judgment upon any Royalist, and they gave to the next relation of each of the four peers whom the Commonwealth had executed, viz., Hamilton, Holland, Capel, and Derby, the detestable privilege

1660-62

of selecting a regicide for execution—a privilege which was exercised in the last three instances; but was nobly declined by Lord Denbigh, the kinsman of Hamilton. The Commons, the majority of whom were moderate Presbyterians, resisted this revengeful spirit, and, after some altercations, an Act of Indemnity was passed, and assented to by Charles on the 29th of August. Vane, Lambert, and fifty-one others actually concerned in the death of King Charles, were excepted from pardon as to life and estate; Haselrigg, Monson, and five others, as regarded liberty and property; and all judges who had presided in any high court of justice, including Hutchinson, Lenthall, St. John, and sixteen others, were declared incapable of holding any office in the state, church, or army. Those regicides who had surrendered themselves were not pardoned, but reserved for the sentence of a future parliament.

2. Execution of the Regicides. In pursuance of this act, so audaciously termed *An Act of Indemnity and Oblivion*, twenty-nine regicides were tried by a special commission, chiefly composed of men who had betrayed the cause of the revolution. Such were, Ashley Cooper, one of Cromwell's most trusty advisers; Monk and Montague, two of his lords and admirals; Say and Holles, parliamentary leaders; Manchester and Robartes, parliamentary commissioners; and Atkins and Tyrrel, parliamentary judges. All the prisoners were condemned; nineteen, who had surrendered in obedience to the proclamation, were respited till the assembling of the next parliament; and these ten were executed, viz., Harrison, Scott, Jones, Carew, Clements, and Scroop, who had signed the royal death-warrant; Cook, the solicitor at the trial; Axtel and Hackers, who had guarded the royal prisoner; and Peters, the minister. In the course of the year, three other regicides, carried off from Holland in defiance of the law of nations, terminated their career on the scaffold; and the bodies of Cromwell, Ireton, and Bradshaw were exhumed, Savage treatment of the dead suspended from gibbets, decapitated, and otherwise insulted and desecrated in the most barbarous manner. The body of Blake was also removed from its honoured resting-place in Westminster Abbey, and re-interred in St. Margaret's Churchyard.

In the two following years, the regicides left in custody were condemned to perpetual imprisonment; and Vane and Lambert were brought to trial. Though not actually guilty of the death of Charles, the indictments against them alleged as overt acts of high treason against Charles II., their Trial and execution of Vane.

exercise of civil and military functions under the usurping government,—an accusation under which many who had been the most active in the King's restoration, might have stood at the bar. Their condemnation was wholly against the spirit, if not the letter, of the statute of Henry VII. in favour of a king *de facto*. For if there was no king, there was a parliament, which, by parity of reasoning, stood in the place of a king, and obedience to it could not, therefore, be deemed a crime against the king *de jure*. The judges, however, went beyond all bounds of constitutional precedents, and of common sense, and decided that Charles II. had always been a king *de facto*, and had never been out of possession! To which Vane replied that, if the king had never been out of possession, the indictment against him fell to the ground, because it alleged that he had endeavoured to keep out the king. The courage, the proud consciousness of right, and the lofty principles which he displayed during his trial, secured his condemnation in the mind of such a selfish, corrupt, faithless, and shameless man as Charles, who told Clarendon that he must be put out of the way. He was executed on the 14th of June, 1662, although Charles had solemnly promised the two houses, when they addressed him on the subject, to spare his life. Lambert was banished to Guernsey.*

3. Restitution of the Church and Crown Lands. The great question of the restitution of the church and crown lands was a very complicated one, owing to the numerous sales which had been made under the authority of parliament. A bill was brought in to confirm all these sales, or to give indemnity to the purchasers, except in the matter of crown lands. But Clarendon demanded that the church property should also be excepted, to which the Commons objected, and no bill was passed. The dispute was therefore left to be decided by the common course of law, and the consequence was, that the church, the crown, and the dispossessed Royalists triumphantly re-entered into possession, the holders not being allowed to plead a title derived from an usurped authority. The great body of the Cavaliers, however, had not been entirely ousted from their lands, but had retained portions by compounding for their *delinquency*. These found no remedy at law, because the Act of Indemnity prevented them from instituting any suits of recovery; and mortified to see the clergy restored, and those Royalists who had

Church and crown lands are restored through the law courts.

* Forster's Lives, IV., 210-240; Hallam, II., 23-25.

1660

lost all fully reinstated, they loudly accused the King of ingratitude, as if his honour was to be sacrificed to their interests.

The great question of the church establishment was not brought forward in the Convention, because the Presbyterian majority would have opposed it. During the Commonwealth, the legal provision for the clergy had never been disturbed, and the private rights of presentation had been peacefully exercised, although the pulpits were nearly all occupied by Puritans and Independents, and the Liturgy had been abolished. The Episcopal ministers who were deprived, though excluded from toleration, were yet allowed sufficient indulgence in the exercise of their functions, and

in the reign of Cromwell, they were fully tolerated. But the re-establishment of Episcopacy was the necessary complement of the Restoration, and, as the Presbyterians readily perceived this, they sought to impose restrictions upon Charles while he was yet at Breda. All that they obtained was a promise, in the Declaration, to grant liberty of conscience, if parliament enacted such an indulgence; but not a word was mentioned about the Establishment. The moderate party in parliament, therefore, who saw the danger of permitting an oppressed body of churchmen to regain their superiority without some restraint, immediately proposed a compromise. The Commons accordingly introduced and passed a bill, which provided that the Episcopal ministers should be restored to their livings, without any legal right to the intermediate profits; and that the present possession of those Presbyterian clergy against whom there was no claimant living, or who had been presented on legal vacancies, should be undisturbed. But this measure was very delusive, because, with the revival of the Episcopal system, the penalties imposed upon nonconformity would revive also, and the Presbyterian clergy who refused to observe the Liturgy would still remain liable to ejection. Hence the latter proposed the establishment of an episcopate on Bishop Usher's model. This consisted, first, in the appointment of a suffragan bishop for each rural deanery, who should hold a monthly synod of the presbyters within his district; and secondly, in an annual synod of suffragans and representatives of the presbyters, under the presidency of the bishop, which should decide upon all questions by plurality of suffrages.* A revision of the Liturgy was also proposed, especially with reference to the use of the surplice, the cross in baptism, kneeling at the communion, and other ceremonies.

The difficulty of restoring the episcopal clergy.

Bishop Usher's model.

* Hallam, II., 17.

But the Episcopal divines contemptuously refused to entertain any idea of a compromise. The King, however, found it prudent to conciliate the Presbyterians by appointing Baxter, Calamy, and others of their leading men, his chaplains in ordinary, and offering them bishoprics; and by publishing the "Healing Declaration," in which he promised to appoint "model" bishops, and that a conference should meet for the purpose of revising the Liturgy.* The object of this concession was, to prevent the parliament interfering in this important matter; it was never intended to be observed; and when the Declaration was brought before parliament, the courtiers, who had received their instructions from Clarendon, vigorously opposed it, and it was rejected by 183 to 157.

4. **Settlement of the Revenue.** In the exuberance of its devotion, the Convention Parliament resolved to make such an ample provision for the executive power, as should place it beyond the pretended necessity of raising money by unlawful means. The crown revenue was, therefore, settled at £1,200,000, and tonnage and poundage were voted for the King's life. A stipulation of the utmost importance was annexed to this grant. The military tenures of the feudal system were abolished, with all their oppressive incidents of fines for alienations, of forfeitures, and of wardships; as well as the more generally obnoxious demands of purveyance—all which relics of feudal prerogative would have revived with the re-establishment of the monarchy. A measure so highly advantageous to the aristocracy and landowners, was not likely to create much difference of opinion; some little discussion ensued as to the new sources whence the revenue was to be derived, and in the end, the burden was most unjustly thrown upon the commonalty, in the shape of an excise duty on beer, cider, wine, tea, and some other articles. Thus the customs and the excise—the two great sources of modern revenue—were placed absolutely in the King's hands, and Charles was rendered almost independent of parliament for the ordinary expenditure of the crown. Still the abolition of two such vexatious exercises of prerogative as wardship and purveyance was of immense benefit to the country, although our gratitude is strictly due to the revolution of 1641 for so beneficial a change, because the Star Chamber, and all feudal superiorities whatsoever, were really done away with at that time.

The
Healing
Declaration.

Abolition
of feudal
tenures.

A
permanent
excise
established.

* Hallam, II., 19.

1660

In fixing upon £1,200,000 as a competent revenue for the crown, the Commons tacitly gave it to be understood that a regular military force was not among the necessities for which they meant to provide. They looked upon the army of 60,000 men with apprehension and jealousy; it was already showing signs of disaffection to the new order of things, and the monthly assessment of £70,000 was still levied for its support. A bill was therefore passed for disbanding all the regiments except that of Monk's, called the Coldstream, and another of horse. A third regiment was formed out of the troops brought from Dunkirk, and thus began, under the name of guards, the present regular army of Great Britain. In 1662, it numbered about 5,000 men. At the same time, an act was passed for enabling the disbanded soldiers to exercise their trades unfettered by any restraints of apprenticeship or corporate privileges; and so readily did they avail themselves of the liberties thus given them, that they became the most industrious of citizens, as they had been the best disciplined of soldiers; and if a baker, a mason, or a waggoner, attracted notice by his diligence and sobriety, it was generally found that he was one of Oliver's old soldiers.*

No standing army to be kept up.

Charles had now obtained from this famous parliament all that was immediately necessary, and as none of its acts could be legally valid without the confirmation of a regular parliament, he dissolved it (December 29th), knowing that his remaining objects could be more readily accomplished by another assembly, elected by the people under their present feelings of enthusiastic affection for the throne. A few days after the dissolution, the Fifth-monarchy men, under their old leader, Thomas Venner, the wine cooper, made another mad attempt to establish a Millenarian kingdom. They failed as formerly, but the tumult was made the excuse for closing the conventicles of the Quakers, Anabaptists, and other sectaries.

* Macaulay, I., 160.

II. REACTIONARY MEASURES OF THE FIRST RESTORATION PARLIAMENT.

5. **The Clarendon Ministry.** The administration which had concurred with the Presbyterian parliament in bringing about the political restoration, was composed of men of different parties and of opposite principles, but the three chief ministers, Clarendon the chancellor, Southampton the lord treasurer, and Ormond the lord steward and lord lieutenant of Ireland, were zealous Anglicans, who attributed to the Presbyterian doctrines all the disorders of the revolution. With them were associated Lord Culpeper the master of the rolls, and Secretary Nicholas, who had shared in the King's exile; then came Monk, created Duke of Albemarle, Montague, Earl of Sandwich, and others; and lastly, some illustrious deserters from the revolutionary cause, Ashley Cooper, Denzil Holles, and the Earl of Manchester. According to a very remarkable custom which had silently established itself during the reign of Charles I., if not earlier, Clarendon selected from this council, those men on whose confidence he could rely, and under the name of a committee of foreign affairs, formed them into a cabinet council, or *junto*, for the purpose of debating and deciding, without the knowledge of the rest, all questions concerning the state. This was contrary to the original constitution of the monarchy, which provided that the King should govern by a privy council composed of peers and great officers of the state, who should be bound by an oath of secrecy and fidelity, and should be consulted on all matters of weight, which they should discuss, in the presence of the sovereign. After the cabinet had decided upon the measures to be adopted, it submitted them to the assent and deliberation of the whole council; that body whom the law recognised as the sworn and responsible counsellors of the sovereign. The fourth clause in the Act of Settlement (12 & 13 William III.), did away with this cabinet council; and it is but just to say, that Clarendon was always opposed to it, although at the Restoration, when it was necessary to have men of different views in office, a secret council of confidential ministers, all agreeing on general questions of church and state, was essential.*

6. **Temper of the New Parliament, as shown by its first Acts.** The new parliament assembled on the 8th of May, 1661, and was

* See Hallam, II., 347; Lingard, XI., 193.

1661

decidedly Royalist in its character. The return to the ancient order of things, to the May-poles, the Christmas ale, the old English games on the village green, the playhouses and the strolling actors, had exercised an immense influence upon the elections. The asceticism of the Puritans was remembered, while their zeal for liberty, their purity of life, their earnest religion, were all forgotten or despised, and in almost every borough and county, the gay and profligate Cavalier was elected, so that when the session opened, only about fifty or sixty members were found in opposition to the court. Still the chancellor did not fail to secure a constant majority in favour of the government, by communicating the wishes of the cabinet to a few leading men, each of whom instructed his friends how to vote on every measure that was brought forward.*

The
Royalist
delirium.

The parliament soon displayed its temper. It voted that the Solemn League and Covenant, and the chief acts and oaths of the Commonwealth against the Stuarts, should be burnt by the common hangman; that all the members should receive the sacrament, according to the rites of the Church of England, on a certain day; and that all the royal prerogatives with regard to the army, the negative voice in the legislation, and the inviolability of the King's person, should be restored. They also declared that there was no legislative power, in either of the houses, without the King; and that neither house could pretend to the command of the army, nor could lawfully levy war offensive or defensive, against his majesty. They restored the bishops to their seats, and remembering the tumultuous assemblies of 1641, which had prevented the prelates from attending in parliament, enacted that no petition should be presented by more than ten persons; and that no one should procure above twenty persons to consent or set their hands to any petition for alteration of matters established by law, in church or state, unless with the previous order of three justices of the county, or the major part of the grand jury.† Severe restrictions were imposed upon the press for some time; and the Act of Indemnity would not have been confirmed, had not Clarendon's sense of honour prevailed upon them to let it pass (May, 1661).

Act against
tumultuous
petitions.

Thus far the new parliament only repaired the breaches which had been made in the constitution; but in their subsequent measures they revenged themselves upon the crushed and degraded Presbyterians and Independents, by excluding them from their civil rights. The government of the cities and boroughs throughout the kingdom was chiefly in the hands of the Presbyterians, and to dispossess them of these strongholds, the *Corporation Act* (13 Charles II.) was enacted (December 20th, 1661).

Mingling the political and religious principles of coercion, this act enjoined all

* Lingard, XI., 212.

† Hallam, II., 27.

Corporation
Act.

magistrates and persons bearing offices of trust in corporations, to swear that they believed it unlawful, on any pretence whatever, to take arms against the King, and that they abhorred the traitorous position of bearing arms, by his authority, against his person, or against those that are commissioned by him. They were also to renounce all obligation arising out of the oath called the Solemn League and Covenant, and in case of refusal, to be immediately removed from office. All future magistrates were to take the oaths, and to have received the sacrament within one year before their election, according to the rites of the English Church.*

7. The Savoy Conference. There existed now no doubt in the minds of the Presbyterians, that it was the object of Charles's government to ruin them entirely. The Corporation Act broke their power in the state; the Act of Uniformity about to be enacted would drive them from the church. The intimate connexion, whether by birth or education, which existed between the gentry and the Episcopal clergy, did not allow this corrupt parliament to hesitate for an instant between the ancient establishment and one composed of men whose eloquence possessed so much influence over the common people. In Clarendon's eyes, the Presbyterian clergy were base, mean, and ignorant "fellows;" but the people revered them, and when they were deprived of their spiritual teachers, and a new set of ministers was thrust upon them, who had little sympathy with their religious or political convictions, the consequence was, that the indifference of the higher classes to all earnest principles gradually spread throughout the whole community. For the Episcopal clergy were more intent upon preaching the doctrine of passive obedience than they were of setting forth the great truths of Christianity, so as to separate the common people from the contagion of the horrible profligacy of the court. Charles himself said, after his licentious fashion, that Presbyterianism was "not a religion for gentlemen," and the results of the Savoy Conference which was now held showed that the Anglican divines were ready to endorse his opinion, and gratify his desires.

Royalist
contempt
for the
Puritans.

The meetings of this assembly were to continue four months, from the 25th of March, 1662; the ostensible object being the union of the two great religious parties, by a revision of the Prayer Book. Twenty-one Anglican divines were met by as many Presbyterians; Sheldon, Bishop of London, in whose lodgings in the Savoy they met, presiding. The Presbyterians proposed that bishops should not govern their dioceses by single authority, but should, according to Usher's

Proceedings
of the
Conference.

* Hallam, II., 27-28.

1661

model, act with the counsel and concurrence of the presbyters in matters of ordination and jurisdiction. They objected to the many responses by the people, and desired that all might be made one continued prayer. They desired that no lessons should be taken from the Apocrypha; that daily psalms should be taken from the new translation. They objected to many parts of the office for baptism, especially those which implied the inward regeneration of all who were baptized; to kneeling at the sacrament, the use of the surplice, the cross in baptism, godfathers acting as sponsors, and the numerous holidays. After offering so many objections, Baxter, who headed the Presbyterians, considering his colleagues were bound to offer a new liturgy as more explanatory of their views, wrote a new "Reformed Liturgy," which was indignantly rejected by the other party without examination. At length the controversy was narrowed to this question: "Is it lawful to determine the certain use of things indifferent in the worship of God?" Baxter and Gunning, afterwards Bishop of Ely, were the chief disputants; but after a long and fretful altercation neither party was convinced, and the conference broke up in anger, each party more exasperated and more irreconcilable than before (July 25th).

This was the conclusion which had been expected and desired by the court, and Charles had already summoned the convocation to undertake the task which had failed in the hands ^{its results.} of the conference (May). Several of the bishops protested against any alteration; but they were overruled, and a few changes were made in the Liturgy, with no desire of conciliating the scruples of the objectors, but rather of irritating and mocking their prejudices. Thus the collect for the parliament was introduced, by which the English sovereign, and that sovereign Charles II., was, for the first time, styled "our most *religious* king;" new holidays were added; the lessons from the Apocrypha were increased, and the services for the day of "King Charles the Martyr," and the 29th of May, the date of his majesty's birth and happy restoration, were inserted. Other alterations were made; but they were of no great importance as regarded the controversy.

8. **The Act of Uniformity.** The new liturgy, in its approved form, after being sanctioned by the King, was sent to the House of Lords, and then followed the Act of Uniformity, May 10th, 1662.

By this it was enacted that the revised Book of Common Prayer and of the Ordination of Ministers, and no other, should be used in all places of public worship; and that all beneficed clergymen should read the service therefrom within a given time, and at the close, profess in a set form of words, their "unfeigned assent and consent to everything contained and prescribed in it,"

on pain of being deprived of their livings. That all the beneficed clergy, fellows of colleges, and schoolmasters, and even private tutors, should subscribe a renunciation of the Covenant, and a declaration of the unlawfulness of taking up arms against the sovereign under any pretence. And that no person should administer the sacraments, or hold ecclesiastical preferment, who had not received Episcopal ordination.

The first of these clauses, as well as that which extended the subscription to schoolmasters, was objected to by the Lords; but the Commons resolutely opposed all amendments, and when the day of St. Bartholomew came (August 24th, 1662), and the time allowed for subscription had expired, the act was rigorously enforced. This day had been chosen in order to deprive the ejected incumbents of a whole year's revenues, because the tithes were not due till Michaelmas; for when a motion to make some allowance was proposed, it was lost by 94 to 87.* On the fatal day, therefore, more than two thousand clergymen were deprived of their livings, without any provision for their future support; which was not the treatment that the Episcopal clergy received at the hands of the Presbyterians, in 1643; for they had one-fifth of the incomes of the new incumbents allotted to them.

9. The declaration of indulgence. While Charles thus left the Protestant dissenters to the tender mercies of the churchmen, he was meditating the relaxation of the penalties upon the Roman Catholics, to whose fidelity and active support his family owed so much. It is morally certain that he had, during his exile, imbibed a persuasion that, if any scheme of Christianity were true, it was that of the Roman Church. He and his brother were both suspected; and when the present parliament made it penal to say he was a papist, or popishly inclined, the suspicions increased. Charles knew that Clarendon would not tolerate popery, and the parliament was still more opposed to it. He, therefore, had recourse to a more subtle policy; to persuade the Nonconformists that, as they were suffering under the same law as the Romanists, they must act in concert, for the common benefit of toleration; and he promised, at their request, to suspend the Act of Uniformity for three months. The Bishops, however, opposed his purpose, and he gave it up; but he published a declaration in favour of liberty of conscience, so as to redeem, he said, the promises contained in the Declaration from Breda. When the Commons met in February (1663), they denied that he

Ejection
of the
Noncon-
formists

Charles
and his
brother
were
Roman
Catholics.

* Burnet's Own Times, I., 185; Southey's Hist. of the Church; Hallam, II., 38.

1663

was bound by this declaration, and they intimated that he possessed no power to suspend, or dispense with, the laws. This hostility was excited by Clarendon, and it was the commencement of a misunderstanding between him and the King, which ultimately terminated in an open quarrel. From this moment, Charles yielded himself, without reserve, to Buckingham, Ashley Cooper, and the other men, who, afterwards, formed the Cabal.*

10. **Repeal of the Triennial Act, and passing of the Conventicle Act.** The parliament did not rest satisfied with merely rejecting this royal declaration, but addressed the King, to issue a proclamation, ordering all Catholic priests to quit the kingdom, under penalty of death. He yielded; but he made an exception in favour of the priests attached to the service of his wife and mother, which neutralised the whole measure. The parliament, however, was too loyal to resent this; and they not only increased the revenue to £2,000,000, and connived at the sale of Dunkirk, but, in the next session (March, 1664), they repealed the Triennial Act, at the King's request, retaining, however, the general provision that no interval between two parliaments should exceed three years.†

Slavish
loyalty
of the
parliament.

In the summer of 1663, some Fifth-monarchy men and others raised a slight insurrection in Farnley Wood, near Leeds, which, together with some obscure risings in other parts of Yorkshire, and in Westmoreland, was made the pretext for "An Act to Prevent and Suppress Seditious Conventicles" (May, 1664).

The rising
in Farnley
Wood.

Assuming that all religious assemblies of Nonconformists were seditious, it enacted, that if five or more persons besides the household were present at any religious meeting where divine service would not be performed according to the Book of Common Prayer, then each person present should be fined £5 and imprisoned three months, for the first offence; £10 and six months for the second; and transported seven years for the third offence.

Under this abominable statute, the ejected Puritan ministers were thrown into prison, and the ordinary affairs of life among the Nonconformist families were entirely deranged. They dared not have the family prayers, if above four persons came to visit them, which, Baxter tells us, was a common occurrence in gentlemen's families. In London, where the houses were contiguous, some thought if they heard one another through the wall or a window, they would avoid the law; and others were of opinion that if they did not meet for a religious purpose, but

Effect
of the
Conventicle
Act.

* Armand Carrel's "Counter Revolution in England," p. 71.

† Hallam, II., 22-20.

simply came on a visit, or on business, it would be no breach of the law. But the judges always decided against them. The Quakers resolutely defied the act, and met openly; they were therefore dragged to jail in great numbers, where many of them died. This persecution continued many years.*

II. THE RESTORATION IN SCOTLAND AND IRELAND.

11. **The Execution of Argyle.** The first measures of the restored monarch, with regard to Scotland, gratified the pride of his northern subjects. He restored to them their former independence, by giving them a separate government and a separate parliament; the Committee of Estates was restored; the Earl of Middleton was appointed lord commissioner; the Earl of Glencairn, chancellor; the Earl of Lauderdale, secretary of state; Rothes, president of the council; and Crawford, lord treasurer. But the people soon found that they had purchased their nationality by the loss of their civil and religious rights. The "drunken parliament,"†, which met on the 1st of January, 1661, by the "*act rescissory*," rescinded all the statutes passed in 1641, because Charles I. had assented to them through force. The Scots constitution, therefore, fell back at once to a state of despotism; the *lords of the articles* were revived; and the kirk was levelled to the dust. Episcopacy was restored, and unlimited jurisdiction given to the bishops; the general assemblies, so dear to the people, were set aside; 350 of the Presbyterian clergy, being more than one-third of the whole number, were ejected from their livings; a large standing army of 22,000 men was kept up; and enormous fines were imposed upon the Covenanters, whose leaders were immediately singled out for punishment.

First came the Marquis of Argyle, whom it was determined to put to death, in revenge for the execution of Montrose. At the Restoration he had hastened to London to offer his homage to the King; but he was arrested and sent back to Scotland, to be there tried for his alleged offences. As the English government admitted his plea of the amnesty which Charles had granted in 1651, the charges against him were confined to his actions since that date.

These were that he had received a grant from Cromwell; that he had supported the English invaders; that he had sat in Richard Cromwell's par-

* Baxter's Life, p. 463. † So called, because the chief men in it were perpetually drunk.

1661-62

liament, and voted for a bill which abolished the rights of the Stuarts to the crown. His enemies felt that these trivial accusations were utterly insufficient to convict him; but at this moment, Monk infamously delivered up two letters from the doomed nobleman, in which Argyle spoke more favourably of the Cromwells than the Stuarts. The Scots parliament declared that these letters established the presumption of Argyle's complicity in the late King's death; and the presumption being declared sufficient proof, he was condemned and executed at Edinburgh (May 27th, 1661).

At the same time, the son of Argyle, having written a private letter which was intercepted, complaining of the injustice of his father's condemnation, was sentenced to lose his life on such a construction of the ancient law against *leasing-making*, i. e., sowing dissension by falsehood, that no man could escape. Thus the Restoration produced this result in Scotland: the worst system of laws was administered by the worst men; and there was left no alternative but implicit obedience or desperate rebellion.*

Miserable
effect of the
Restoration
in Scotland.

12. Persecution of the Covenanters. The Pentland Rising. Amidst these excesses against individuals, the more extensive tyranny of forcing Episcopacy upon a people so devoted to presbytery, was resolutely pushed forward. Sharp, whom the Presbyterians had sent to London as their agent, for the purpose of preserving the kirk, returned Bishop of St. Andrews and Primate of Scotland; other prelates rapidly followed; and in May, 1662, the parliament gave the bishops full ecclesiastical authority and jurisdiction. Then followed an Act of Uniformity, and a furious mandate, framed, it was said, at a drunken revel at Glasgow, commanding all incumbents who had not received lay presentation and Episcopal induction, to resign their livings, on pain of being removed by the military. Then began the preaching in conventicles, and the secession of the people from the churches, especially in the western shires; followed by the fines and penalties imposed by an ecclesiastical commission, and the free quartering of soldiers upon the people. The Solemn League and Covenant was publicly burnt; the western Whigamores were burnt in effigy; every one had to renounce the Covenant or endure persecution; and the number of vacant pulpits was so great, that the Highland gentlemen complained of there being no lads to herd the cattle, because all of them had been taken away to become curates or parish priests!

Restoration
of episcopal
authority.

But all this violence found little favour with the English government, and Middleton was sent to be governor of Tangiers,

* Hallam, II., 488; Lingard, XI., 230-232; Carrel, 63-64.

where he died. The new commissioner, the Earl of Tweeddale, was, however, urged on by Sharp, so that the severities were not relaxed. But the Scots, driven from their churches, did not the less observe their religious rites; they assembled in their houses, in barns, in the open air, on the hill sides, and in the fastnesses and rocky defiles of the western wilds. When the Conventicle Act prohibited these meetings, it was no easy matter to surprise the worshippers, for scouts and watchers gave early warning of the approach of the military; and the people went armed to the conventicle, prepared for resistance. At length, a body of troops, under Sir James Turner, a soldier of fortune, was sent to scour the counties of Dumfries, Ayr, and Galloway. This drove the Covenanters into open rebellion; but they were defeated on Rullion Green, in the Pentland Hills (November 28th, 1666), by Generals Dalziel and Drummond, who, having been bred in the Russian wars, carried on their warfare with the direst cruelty.

The leaders of the rebellion, which was called the *Pentland Rising*, were sent to Edinburgh, tortured with the boot, and then executed. The rebel counties were subjected to the most horrible military severities, and the barbarities which were perpetrated are still remembered, with shuddering fear, by the western peasantry. Such a policy as this was too terrible to last. The English government, ashamed of its colleagues in Scotland, dismissed the primate from the administration; Rothes also was deprived, but Lauderdale was retained. More lenient measures were then adopted, and a proclamation of indulgence was issued (July, 1669), permitting such of the ejected clergy as had not given any particular offence, to preach in vacant parishes.

13. The Restoration in Ireland. The great difficulty which resulted from the Restoration in Ireland was, the settlement of the titles and boundaries of each man's private estate. On the 28th of November, 1660, Charles published his celebrated Declaration for the settlement of the country, to serve as the basis of an act of parliament.

It confirmed the title of all the *adventurers* who had received lands from the parliament in return for money which they had advanced for quelling the rebellion, on the faith of the acts passed in 1642. The soldiers also were confirmed in the estates which had been allotted for their pay, with the exception of church lands and some others. Officers who had served in the royal army against the Irish before 1649, were to receive lands to the value of five-eighths of their pay. Innocent papists, such as were not concerned in the rebellion, and whom Cromwell had transplanted into

The
Declaration
or Act of
Settlement.

The con-
venticles.

The Pent-
land rising.

Sharp
dismissed
from office.

1665

Connaught, were to be restored to their estates, and those who possessed them to be indemnified. To this arrangement was appended a list of the qualifications of innocence.

But the Declaration was not altogether satisfactory, especially to the Roman Catholics, because the qualifications were so constructed as to exclude most of them from its benefits. The Irish Commons, however, the majority of whom were soldiers and *adventurers*, confirmed the Declaration: the Lords opposed it, and the dispute was referred to London, where the King's council formed itself into a *Court of Claims*, for the purpose of making a settlement. The result of all the intrigues which now followed was, that the Declaration was very little altered, and it was passed into a law under the name of the *Act of Settlement*. When the act came to be executed, still greater difficulties than before were found, although a number of English commissioners were sent over to constitute a Court of Claims, that impartiality ^{The Court of Claims.} might be observed. Such improvident grants of lands had been made to the church, and to the Dukes of York, Ormond, Albemarle, and others, that the fund for reprisals had been almost exhausted; more of the Irish were pronounced *innocent* than had been expected; and the new possessors, having the sway in the House of Commons, a clamour was raised that the popish interest had prevailed. To secure themselves, they demanded that a closer inquisition should be made, and stricter qualifications required, and that a ^{Act of} supplementary measure, called the *Act of Explanation*, ^{Explanation.} should be passed (1665). The adventurers and soldiers relinquished about one-third of their estates; all those who had not already been adjudged innocent were cut off from any hope of restitution; and the Irish Catholics, who had previously held about two-thirds of the kingdom, lost more than one-half of their possessions.*

III. DURING THE FIRST DUTCH WAR.

14. The King's marriage. When Charles was restored, Alphonso, King of Portugal, was solicitous to continue his alliance with England; and, in order to bind the friendship closer, he offered the English King, in marriage, his sister Catherine of Braganza, with a portion of £500,000 ^{The marriage treaty.}

* Hallam, II., 537, Notes; Lingard, XI., 239-243.

together with two fortresses—Tangiers in Africa, and Bombay in the East Indies—and freedom of trade to Portugal and her colonies. The offer was accepted, and the treaty concluded, on the 21st of May, 1662; the marriage being celebrated in a private room, at Portsmouth, according to the Roman Catholic rites. The negotiations which led to this marriage introduced

First
negotiation
between
Charles
and
Louis XIV.

Charles to Louis XIV. That monarch had just concluded the treaty of the Pyrenees with Spain, by which he engaged to give no support to Portugal, which had lately, under the House of Braganza, released itself from the Spanish yoke. Yet he did not hesitate to persuade Charles to accept the alliance; he offered him money, to purchase votes in parliament, to silence opposition; and he agreed to furnish him with supplies, in the event of the marriage leading to a rupture with Spain. Thus was laid the foundation of that clandestine and confidential correspondence between the French and English sovereigns which, in a short time, rendered the latter the pensionary and dependent of the King of France.*

The scenes at court which followed the introduction of Catherine were of a most painful and disgusting description. Charles openly presented to his wife, his chief mistress, Mrs. Palmer, created Countess of Castlemaine, and afterwards Duchess of Cleveland, and he forced her to accept “the lady” as one of her attendants. The court was little better than an assembly of scoundrels and harlots, who were the objects of ridicule to foreigners, while the shameful dissoluteness and contempt for morality which were displayed therein were more than the nation, degraded as it was, could long endure. For the people were, in the main, grave and religious; the austere character of Charles I. had repressed, to a considerable degree, the scandalous excesses of his father’s court, and Puritan influence had established a good tone of religion and morality throughout the kingdom. But when the Cavaliers gained ground, after the Restoration, sin and wickedness again became flagrant, and the “titled blackguards,”† who surrounded the King, outraged all decency, by exhibitions, the account of which, says the editor of Pepys’s Diary, is too gross to print. The general execration in which these men and their companions were held by the nation, had a salutary effect. It rid the kingdom of its besotted loyalty, and pressed forward the great ultimate security of English freedom, the expulsion of the House of Stuart.‡

Wicked-
ness of
Charles’s
court.

* Lingard, XI., 251. † Knight, IV., 265. ‡ Hallam, II., 53.

1665

15. **The Sale of Dunkirk.** The acquisition of Tangiers was intended to compensate for the sale of Dunkirk to France, which had been effected by Clarendon. The people said the minister had been bribed by Louis XIV., and that, with the bribe, he had built the magnificent palace near St. James's, which they derisively called "Dunkirk House." The unpopularity of this transaction was one of the first symptoms of Clarendon's decline, and his share in it formed one of the articles of his impeachment. Louis XIV. made a cunning bargain. He gave £400,000 for the place, but he would only pay £160,000 in ready money, and the rest in bills, which he secretly discounted at a profit, to himself, of £40,000.*

16. **Beginning of the Dutch War.** The Dutch war which now broke out originated in the commercial rivalry between the two nations, and in the quarrels of the English and Dutch African companies, concerning the profits from slaves and gold dust, in the Guinea trade. The merchants petitioned parliament to redress their injuries (March, 1664); the Commons eagerly listened to them; Charles encouraged them because of the supplies he would obtain; and the Duke of York, who was governor of the English company, was desirous of showing his prowess as Lord High Admiral. In the meantime, the rival companies had commenced hostilities in Africa; and in North America, Sir Richard Nicholas, groom of the bedchamber to the Duke of York, captured New Amsterdam, and named it after his patron, New York. Some engagements also took place in the Channel, and on the 22nd of February, 1665, war was formally declared.† The parliament granted £2,500,000, and introduced some important alterations in the levying of the subsidy.

Quarrels of
the English
and Dutch
African
Companies.

The old system of grants by tenths and fifteenths was abolished, and a county rate was levied. The clergy, who had hitherto taxed themselves in convocation, ceased to do so now that a county rate was authorised; and, being thus merged amongst the lay rate-payers, received in return the right to vote at elections as freeholders. The consequence of this was, that convocation lost its influence, with its right to vote money; and thereby becoming of little service to the crown, was no longer suffered to deliberate, to frame ecclesiastical canons, or to investigate the conduct or regulate the affairs of the church. It was summoned as a matter of form, when parliament met; but was

The clergy
cease to tax
themselves
in
convocation

* Lingard, XI., 259-260.

† The ministry suspected that the Dutch were endeavouring to reinstate the republican party in England, and were in correspondence with the Scottish Covenanters, which further induced them to declare war.

immediately prorogued, adjourned, or dissolved, by royal mandate. Such a great alteration in the constitution was brought about by a private, verbal arrangement between Clarendon and Archbishop Sheldon.*

On the 3rd of June, 1665, the fleets of the two great commercial nations met off Lowestoft. The Duke of York, who commanded the English fleet, was not deficient in animal courage, and the old sailors of the Commonwealth were still inspired with the remembrances of Blake. The fleet was divided into three squadrons; the duke commanded the Red, the White was under Rupert, and Montague, Earl of Sandwich, led the Blue. The Dutch under Opdam sailed in seven divisions; they had 113 ships, the English 102; but the Dutch captains and sailors were not veterans like the English, and Opdam would not have engaged had not the States-General positively ordered him to fight. For four hours the battle hung in suspense; but the Dutch admiral's ship suddenly blew up with 500 men; on which the enemy fled to the shallows of their own coasts. To escape the English fleet under Sandwich, which now rode triumphant in the Channel, the Dutch merchantmen sailed round Ireland and Scotland, and the two fleets from the East Indies and the Levant, sheltered in the neutral harbour of Bergen, in Norway. Sandwich sailed to attack them, with the connivance of the King of Denmark, but signally failed; and he was deprived of his command soon afterwards, for appropriating a portion of the treasures captured off the Texel (September).

17. The Plague. The victory at Lowestoft raised no shouts of exultation in the marts and thoroughfares of London, for the great city was lying under the dread of a most terrible infection. In the depth of the last winter, two or three isolated cases of plague had occurred in the outskirts of the metropolis, and the fact was sufficient to excite the alarm of the citizens, who knew well what it meant. In 1636, of 23,000 deaths, 10,000 were ascribed to the plague. This terrible visitor came to London, it was believed, once every twenty years, and then swept away a fifth of the inhabitants. From 1636 to 1647, it had carried off 2,000 or more, annually. But, after 1648, the pestilence disappeared; and, in 1664, the Bills of Mortality only registered six deaths from this cause. The drunken revelries of the last five years must have predisposed the population to receive the disease on this new visitation; the streets, moreover, were still narrow,

Naval battle
off Lowestoft.

Previous
visitations
of the
Plague.

* Lingard, XI., 278; Burnet's Own Times, I., 340, Note; IV., 508, Note.

1665

and badly drained; the houses were wanting in every sanitary arrangement; and the supply of water was miserably deficient—the conduits, or street fountains, being the only means. With all the finery of dress, therefore, there was little or no cleanliness.*

The summer set in with extraordinary heat. The previous winter and spring had been the driest that ever man knew. There was no grass in the meadows around London. Strange comets were seen for a long time. A flaming sword was seen to extend across the heavens from Westminster to the Tower. Superstitious fear filled the minds of all men. About the end of May the evil burst; it spread rapidly from the centre of St. Giles's, and stole its way into the city. The nobility and gentry fled at once; the royal family followed; and then the tide of emigration towards the country became general.† But the neighbouring towns soon rose in their own defence, and refused to admit the terrified fugitives. People shut their doors against their own friends and relatives; men avoided meeting one another, as if they were mutual terrors; and when any one from the towns wished to purchase goods in the country, he laid the money on a broad stone, to which the articles were brought. Such a spot was the Broadstone of East Redford. To relieve the general distress, the King and chief personages subscribed large sums weekly, and, on the 1st of July, the mayor and corporation took measures for preventing the further extension of the pestilence. They divided the parishes into districts, and allotted to each a competent number of examiners, searchers, nurses, and watchmen. The door of every house infected with the disease was painted with a large red cross, and the words, "Lord have mercy on us," placed above it. From that moment the house was closed; the inmates were shut in for a month, and thus were doomed to kill one another by infection. Many sunk under the horrors of such a situation; others, who were desperate, burst through the watchmen, and thus disseminated the contagion. In the day time officers were always careful to withdraw from public view the bodies of those who expired in the streets; and every night the pest cart went round, the glare of links and the tinkling of a bell announcing its approach to receive the dead, who were shot into a spacious pit in the nearest cemetery. No coffins were prepared; no funeral service was read; no mourners wept

Omens
and
prognostications.

Measures
taken to
stop the
progress
of the
Plague.

The pest
cart.

* Knight's Pop. Hist., IV., 270.

† Stout old Monk remained in London, and fearlessly chewed his tobacco, at his mansion of the Cockpit, all the time of the plague.

over the grave. Rich and poor were thrown in together, without any considerations of decency.

The symptoms of the disease were those of fever—shivering, nausea, headache, and delirium. A sudden faintness then came on, the maculæ, which were the fatal tokens, appeared on the breast, and death came within an hour afterwards.

Symptoms
of the
disease.

The sufferings of the patients often threw them into a frenzy. They burst the bands which confined them to their beds; they threw themselves out at the windows; they ran naked into the streets, and plunged into the river. In July and August the weekly returns of the dead gradually rose from 1,006 to 7,496; the dead were then interred at all hours of the day and night; the streets became desolate, and were overgrown with grass. In September, when the heat began to abate, and all expected the mortality to decrease, the weekly returns rose to more than 8,000. Infection became the certain harbinger of death; and, to dissipate the foul vapours, fires of sea coal were burnt in every street, court, and alley, until a heavy fall of rain extinguished them. In the

Ten
thousand
deaths in
one week.

week ending September 19th, more than 10,000 victims perished. This was the climax of the pestilence; the autumnal gales then set in, and cooled and purified the air; the weekly burials diminished gradually, and, in the beginning of December, seventy-three parishes were pronounced clear of the disease. Confidence now revived. The York waggon again ventured to go to London with passengers; the shops re-opened; and, in February, 1666, the court returned to Whitehall. But the plague still lingered in particular spots; there was not a week in the

Other towns
which
suffered.

year in which some cases were not returned; and in August, 1666, it raged with violence in Colchester, Norwich, Winchester, Cambridge, and Salisbury. In London, more than 100,000 persons perished.*

18. Meeting of Parliament at Oxford. The Five Mile Act. On account of the pestilence, the parliament met at Oxford, and to reward the non-conforming ministers who had remained in London with noble self-devotion, to administer the consolations of religion to the afflicted people, the *Five Mile Act* was passed. Many of the established clergy had, indeed, persisted in the discharge of their duties with laudable constancy; but many also fled; and their vacant pulpits and parishes being taken charge of by the ejected preachers, the parliament treated this as a violation of the Act of Uniformity, and said that the Non-

* Lingard, XI., 281-289.

1666

conformists had used the opportunity to preach sedition and treason.

It was therefore enacted, that all persons in holy orders, who had not subscribed the Act of Uniformity, should swear, that it is not lawful, upon any pretence whatever, to take arms against the King; and The Five Mile Act. that they did abhor that traitorous position of taking arms by his authority, against his person, or against those that are commissioned by him; and would not at any time endeavour any alteration of government in church or state. Those who refused this oath were not only made incapable of teaching in schools, but prohibited from coming within five miles of any city, corporate town, or borough sending members to parliament.*

This cold-blooded statute, with the usual result of persecution, only defeated its own purpose; for the sufferings of the victims served but to rivet their doctrines more firmly in the minds of their friends and disciples.

19. **France in Alliance with Holland.** The year 1666 was the most eventful year in the reign of Charles, and was called by Dryden, in an historical poem which he wrote upon it, *Annus Mirabilis*. The first event in it was the alliance of Louis XIV. with Holland, for the purpose of partitioning, with that republic, the Spanish Netherlands. When Philip IV. of Spain died (September, 1665), he left his dominions to his infant son Charles II. Maria Theresa, the wife of Louis, was Louis XIV. claims the Spanish Netherlands. Philip's daughter by his first marriage, and by the *Law of Devolution* which prevailed in the Netherlands, she was the heiress of the Spanish Netherlands. But when she married Louis, both she and her husband had solemnly renounced all claim to the Spanish dominions generally, and to Flanders, Burgundy, and Charolois in particular. On the pretence that this contract had never been ratified, Louis determined to seize Flanders, and he declared war against England (January 16th, 1666). Denmark joined Holland at the same time; and Charles, on his side, concluded a treaty of neutrality with Sweden.

On the 1st of June, the Dutch fleet, of more than eighty men-of-war, anchored off the North Foreland, to the extreme surprise of Monk, who, in the belief that the enemy would not be ready for sea for some weeks, had despatched Prince Rupert with twenty vessels to cruise along the Channel in search of the French fleet. Monk had only fifty-four vessels left; but he determined Action off the North Foreland. to risk a battle, even under such circumstances, and sent word for Rupert to return. The King and the Duke of York, we are told, came down the Thames to Greenwich with their court, to listen to the roar of the conflict. The battle

raged four days; Rupert did not come up till the last day, for what reason is unknown, and the result was, that the English fleet was almost annihilated. De Witt cut down the English masts and rigging by his chain shot, of which he was the reputed inventor; and the noblest ship in the royal navy, the *Prince Royal*, ran on the Galloper Sand, and was lost. Monk speedily retaliated this defeat upon the Dutch. On the 25th of July he defeated De Ruyter, and chased him into port; he burnt the Dutch shipping all along the coasts, and reduced the town of Brandaris to ashes. De Witt, maddened with rage at the sight of this conflagration, swore by a solemn oath never to sheath the sword till he had obtained his revenge. He kept his oath.

20. **The Great Fire.** On Sunday, the 2nd of September, about two in the morning, the Great Fire of London broke out. It

Its origin. began in a bake-house in Pudding-lane, near Fish-street,

and spread itself with such rapidity on all sides, owing to a strong east wind which prevailed at the time, and to the stores of pitch, tar, oil, and other combustibles in the neighbourhood, that no efforts could extinguish it till a considerable part of the city was laid in ashes. The flames advanced for three days and nights (September 2-5), and it was only by the blowing up of houses that they were at last extinguished. Charles and his brother did their utmost to stop the progress of the fire, but

Extent. it bade defiance to all their exertions, and 13,200 houses

were consumed; 89 churches, including St. Paul's; 400 streets; and, in the fields about Islington and Highgate, 200,000 people were congregated in a state of utter destitution. As the papists were the chief objects of public hatred, they were accused by the general rumours of having originated the fire, "in order," as the old inscription on the Monument erected to commemorate

the event stated, "to the effecting their horrid plot for the extirpating the Protestant religion, and English liberties, and to introduce popery and heresy." At the end of a

The papists unjustly accused. century and three-quarters, when men's religious sentiments were more charitable, this lying inscription was obliterated. A committee of parliament made the strictest inquiry into the matter, and no proof, or even presumption, appeared for such an accusation.* The fire proved beneficial, both to the city and

* A poor French working silversmith confessed that he was the incendiary, and he was hanged. Yet, says Clarendon, the judges and others at the trial did not consider him guilty, but that he was insane, and weary of his life, and chose to part with it in this way.

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the kingdom; as wider and more regular streets were made; London became much healthier; and the plague has but seldom appeared in the city since.

21. Disputes between Charles and the Parliament, regarding Supplies. The flames of London were still smouldering, when the parliament met at Westminster, on the 21st of September, in no very pleasant mood. They directed their first attention to increasing the rigours of the penal laws against the Roman Catholics, in revenge for the fire; after which they inquired into the expenditure of the supplies. It was reported that Charles had diverted these to the use of his mistresses, and as the Commons were not now so subservient to the crown as when they first assembled, a clause was inserted in the new subsidy bill, which provided that the present grant of £1,250,000 should be applied only to the purposes of the war. This ancient and fundamental principle of appropriating the supplies was established as early as the reigns of Richard II. and Henry IV., and had been enforced so late as the reigns of James and Charles. Clarendon inveighed with fury against it as an "innovation;" but the King, learning that the bankers would advance money more readily on this better security for speedy payment, insisted that it should not be thrown out, and it was carried by a majority of 70. From this, therefore, it became an undisputed principle, that supplies granted by parliament are only to be expended for particular objects specified by itself. The necessity of laying estimates before the house followed as a matter of course; and thus parliament came, not only to have control over, but to have a share in the national expenditure.* It also resulted from this right of appropriation, that the House of Commons should be able to satisfy itself as to the expenditure of its grants. For this also there were precedents as early as the reign of Henry IV., and a bill was therefore carried, appointing commissioners to audit the public accounts. But the King, who had too much disgraceful expenditure to conceal, strongly resisted; Clarendon declared that the bill was an encroachment and usurpation, and he advised the King never to consent to it. He opposed the bill in the House of Lords with intemperate warmth, and with a contempt of the lower house, which was not only imprudent in respect to his own interests, but unbecoming and unconstitutional. Charles prorogued the parliament while the measure was depending (February 8th, 1667), promising to appoint

Right of
appropriation
established.

Clarendon's
imprudent
opposition.

* Hallam, II., 55-56.

a royal commission for the examination of the public accounts; but the bill was resumed after Clarendon's fall, and passed into a law (1668).*

It was at this juncture, when Charles's expenditure was the subject of so much jealousy, and his exchequer was empty, that he made his first secret treaty with Louis XIV., by which he agreed not to interfere with that monarch's designs against Spain, and Louis consented to restore the West Indian islands which had lately been taken from England (April, 1667).

Charles's
first secret
treaty with
Louis.

22. The Dutch in the Medway. At the commencement of this secret negotiation, Charles had sent commissioners to Breda, to conclude a treaty with the Dutch (December 1666). But the pensionary De Witt was in no haste to come to an agreement, for he had not forgotten the oath he swore at the burning of Brandaris. During the negotiations he despatched De Ruyter, with a fleet of 70 sail, which moored off the buoy at the Nore, and blockaded London (June 8th). The government was not taken by surprise, but little preparations were made; for the commissioners of the navy already owed nearly a million, and their credit was gone. The sailors mutinied and refused to serve, because their pay was considerably in arrears, although parliament had made liberal grants; for the same reason the labourers would not work at the forts and batteries which ought to have been erected; and the merchants would not sell, except for cash payments. Many of the sailors, in fact, were on board the Dutch vessels, where, they humourously but very significantly said, they fought for dollars and not for tickets; the sailors' wives went about the streets loudly complaining of the oppression which bound them down in poverty and distress; and mobs attacked Clarendon's house, and set up a gibbet before his gate.

English
sailors fight
against
their
country.

In the meantime De Ruyter, dividing his fleet into two divisions, ordered one to sail up the Thames as far as Gravesend, and the other to destroy the shipping in the Medway. The fort at Sheerness opposed but a feeble resistance; a boom which Monk had thrown across the Medway was broken by one of the Dutch fireships, and the guardships which he had stationed for its defence were burnt; and the Royal Charles, a first-rate, and the proud ship which had borne the King to England, became the prize of the conquerors. Monk now fortified Upnor Castle, but

* Hallam, II., 58.

1667

the Dutch "made no more of Upnor Castle's shooting than of a fly," and with wind and tide in their favour, gallantly sailed up the river, and burnt three first-rates. They then returned to the other division at the Nore, and enforced a real blockade of London for many weeks.

Peace alone could terminate this multiplication of dangers and disasters, and it was accordingly concluded at Breda, on the 29th of July, upon conditions altogether humiliating to England.

Three treaties were signed by the commissioners: *one with Holland*, stipulating that both parties should forget past injuries and remain in their present condition, the States retaining possession of the disputed island of Pulorone, and the English of their conquests of Albany and New York; *another with France*, by which Louis obtained the restoration of Nova Scotia, and Charles that of Antigua, Montserrat, and part of St. Kitts; and *a third with Denmark*, renewing the former peace with that country.

The treaty of Breda.

23. **The Fall of Clarendon.** The general dissatisfaction with this treaty, and with the troubles which England had suffered, was now so great, that it became necessary for the court to sacrifice at least one victim. Clarendon was chosen, because against him the spleen of all parties was directed.

Clarendon sacrificed to popular discontent.

He was hated by the Queen-mother; he was diametrically opposed to the levities and vices of the court; he discountenanced the Dutch war when all England desired it; and the people, therefore, attributed its disasters to his secret ill-will against it. He had endeavoured, of late, to keep the balance between the court party and the national party, and while he did not go far enough in extending the prerogative, he lost the confidence of parliament by manifesting a too great complaisance towards the court. In the difficult crisis of the Restoration he was indispensable to Charles, but now he was in the way of the King's designs.* Charles was indifferent to the church, Clarendon its strenuous supporter. Charles was for such a toleration of Protestant dissenters as would include Roman Catholics; Clarendon equally persecuted Puritans and Papists. Charles was desirous to have such a fixed annual revenue as would render him almost independent of parliament: Clarendon, who would have had parliament always submissive, was opposed to this. Charles would have kept up a standing army, Clarendon prevented him. Thus, in politics, in religion, and in his private relations, the King found his minister constantly thwarting him; which is quite sufficient to account

He was no longer necessary to the King.

* Hallam, II., 62.

for Clarendon's fall. But his entire ruin was accomplished by a strange coalition of his enemies; of the Cavaliers, who hated him on account of the Act of Indemnity; the Presbyterians, for that of Uniformity; the Commons, for his pride and haughtiness; and the Lords, whom he had taunted with allowing the Commons to usurp the lead in public business, and encroach upon their privileges. Unfortunately for his reputation, he had returned from exile in the deepest poverty, and in seven years had acquired an immense fortune, which excited the envy of the nobility, and, in the popular mind, at once summed up, and clearly confirmed every possible imputation.

As early as 1663, the Earl of Bristol, a Catholic peer, had impeached the lord chancellor of high treason. But the judges had declared that, by the laws of the realm, no articles of high treason could be originally exhibited in the House of Peers, by any one peer against another, and that the matters alleged in the charge did not amount to treason. But when it was pretty well known that the King was alienated from his grave adviser, and that Buckingham, Arlington, Coventry, and Castlemaine "the lady," had conspired against him, charges of a most serious nature were got up, and the Commons impeached him in seventeen articles. Many of these, however, applied more directly to the King than the Earl, and each of them was a kind of protest from one or other of the classes whom the Restoration had already rendered discontented.*

The chancellor was charged with having counselled the King to levy an army, for the purpose of ruling in an absolute manner; with having said that the King was a papist; with having caused the transportation of several persons—one of whom was Colonel Hutchinson—to remote islands and garrisons, thereby to prevent them from obtaining the benefit of the law; with having counselled the King to sell Dunkirk, and with having corruptly received a portion of the purchase money; with having deprived most of the corporations of their charters; with having betrayed the King in the negotiations connected with the late war; with having counselled the division of the fleet, which had given the victory to the Dutch; and, finally, with having authorised various measures impeding the ordinary course of justice. This latter accusation referred to the chancellor's attempts against the independence of grand and petty juries. The Tudors had made a practice of imposing fines upon these bodies, in order to punish them for verdicts contrary to the views of government. The revolution had destroyed this abuse; Clarendon revived it.

The minister met this impeachment with a long memorial, which the parliament denounced as libellous (December 29th),

* Carrel's Counter Revolution, 82.

1667-68

and he was then banished for life, unless he returned by the 1st of February, 1668. For, in the meantime, he had resigned his office, and retired to the continent (November 29th), at the King's express command. He resided at Montpelier, where he wrote his History of the Great Rebellion, and died at Rouen in 1674. The profligate character of those who plotted the ruin of this great minister, has rendered his administration comparatively honourable. But his notorious concurrence in all the measures of severity towards the Nonconformists, and the political offences enumerated in his impeachment, have diminished the veneration in which he was held, and excluded him from the list of great and wise ministers. Though his impeachment, on the point of high treason, cannot be defended, the act of banishment, under the circumstances of his flight, was justifiable, because he simply fled from justice, and refused to appear within the given time. His prosecution established, for ever, the right of impeachment, which the discredit of the Long Parliament had exposed to some hazard.*

SECTION II.—THE ADMINISTRATION OF THE CABAL. 1667-1674.

24. Character of the New Ministry. By the exile of Clarendon, the Anglican ministry established at the Restoration was entirely dissolved. Southampton was dead; Albemarle was worn out; Nicholas had resigned, and Ormond resided in his government of Ireland. The new men that came into power were profligates and libertines, alike indifferent to all sects and parties, and five of them ere long became known as the *Cabal*; a word which signified what we now call a cabinet, and which was erroneously supposed to have been formed out of the initial letters of their names—Sir Thomas Clifford, first com-
missioner of the treasury; the Earl of Arlington,
secretary of state; the Duke of Buckingham; Lord Ashley,
chancellor of the exchequer; and the Duke of Lauderdale. The
great disgrace of these men in their ministerial capacity was,
that they sold their country to France, for the purpose of restoring

Members of
the Cabal.

* Hallam, II., 59-72; Carrel, 82-83; Knight's Pop. Hist., IV., 300-302; Pepys's Diary, July and August.

popery and establishing arbitrary power—a design which roused all parties, corrupt as they were, against them. Nevertheless their first measures won popular approbation. Sir Orlando Bridgeman, the Lord Keeper, brought in the *Comprehension Bill*, for the purpose of securing to the Presbyterians certain concessions which would enable them to re-enter the bosom of the Established Church, and to the other Non-conformists the free exercise of their worship. But this conciliatory measure was rejected by the Commons, who declared that its real aim was to restore the supremacy of popery.

25. The Triple Alliance. While the toleration principles of the Cabal were suspected, their other great measure, the *Triple Alliance*, between England, Holland, and Sweden, was loudly applauded. It soothed the national irritation which prevailed at the time of Clarendon's fall, and for prudence and magnanimity has no parallel in the history of the Stuarts. At that time, France was the greatest power in Europe. Her dominions were large, compact, fertile, well placed for attack and defence; and her people were brave, active, and ingenious. The government was a despotism; the royal revenue was larger than that of any other potentate; the army, 120,000 strong, was excellently disciplined, and commanded by the greatest generals then living. The personal qualities of the King added to all this power. He knew well how to choose his servants, and he had the talent of appropriating to himself the credit of all their acts. In his dealings with foreign powers he was generous but not just; extending his protection with disinterestedness, but breaking through the most sacred ties of public faith without scruple or shame. As licentious as Charles, he was by no means frivolous or indolent; and he was ambitious to extend the spiritual power of Rome. Our ancestors naturally looked with serious alarm upon so formidable a state. The old national feeling against France revived, while the dread which Spain had so long inspired had given place to contemptuous compassion; for though the latter still held in Europe the Milanese and the two Sicilies, Belgium, and Franche Compté, and in America her dominions still spread from the Equator on both sides, beyond the limits of the torrid zone, she was utterly incapable of molesting other states, and even of repelling aggression. Between these two states, a very serious contest had for some years been going on; Louis being ambitious to make the Rhine the boundary of his dominions. He was now in the full career of conquest; and

The
Compre-
hension
Bill.

French
power the
dread of
Europe

1668

the United States saw with anxiety the progress of his arms, for rich as that republic was, she was no match for the power of Louis, and could not alone turn the scale against France. From the German princes no help was to be expected, because many of them were in alliance with Louis, and the Emperor himself was embarrassed by the discontents of Hungary. England was separated from the States by the recollection of a cruel and bitter war. Still it was the interest of England to exclude France from the possession of Flanders, and under this persuasion, Sir William Temple, the English resident at Brussels, was instructed to negotiate with the States. He proceeded to the Hague, and soon came to an understanding with John De Witt, then the chief minister of Holland; and, with him, concluded an alliance with Sweden (April 25th, 1668), the result of which was, that Louis was compelled to agree to a treaty of peace with Spain at Aix-la-Chapelle (May 2nd), by which the Spanish Netherlands were saved from absolute conquest. But the three Protestant powers were not on good terms with Spain, although they interfered in her behalf; hence she agreed that Louis should still retain Tournay, Douay, Charleroi, and other places, which brought the French frontier to the very neighbourhood of the Dutch, to their great annoyance.*

Louis XIV. sought to make the Rhine the boundary of France.

The Triple Alliance was a check upon his ambition.

Treaty of Aix-la-Chapelle.

26. **The Treaty of Dover.** While Temple was negotiating the Triple Alliance, his master was making clandestine overtures to Louis, offering to declare himself a Roman Catholic, to dissolve the Triple Alliance, and join France against Holland, if Louis would lend him such military and pecuniary aid as might make him independent of parliament. The negotiations were chiefly carried on by the Duchess of Orleans, Charles's sister. Louis, though he received the propositions coldly, was not averse to them; for it was his object to separate England from that coalition which he knew would be formed against him, when he should lay claim, in right of his wife, to the vast empire of Spain. He knew that the English parliament and nation were strongly attached to the policy which had dictated the Triple Alliance, and he was, therefore, gratified to learn that the Stuarts were willing to sell themselves, and become subservient to his designs. For the next twenty years, England thus became the most degraded and the most insignificant member of the European State-system, and

Charles' secret negotiations with Louis to set aside the Triple Alliance.

* Macaulay, I., 205-211; Lingard, XI., 325-23.

Louis pensions the court and the parliament.

Louis kept her political parties in a perpetual state of conflict. He pensioned at once the ministers of the crown and the chiefs of the opposition; he encouraged the court to withstand the encroachments of the parliament, and conveyed to the parliament intimations of the arbitrary designs of the court. His chief agent in this was Louisa de Querouaille, Duchess of Portsmouth, and one of the royal mistresses.

At length all the conditions of this clandestine alliance between the two monarchs were digested into a secret treaty, which was signed at Dover (May 29th, 1670), and the terms of which were not clearly known by the public before the close of the eighteenth century.

They stipulated that Charles should openly declare himself a Roman Catholic, that he should join Louis in a war against Holland, which they should partition between them; England, however, only to receive a part of Zealand: that he should support Louis, with all his power, in obtaining possession of Spain, when the Spanish monarch (a sickly child) should die, and should obtain not only Ostend and Minorca, but such parts of Spanish America as he should choose to conquer. Louis engaged to pay his ally £200,000 annually, and furnish him with 6,000 troops, to enable him to suppress any insurrection which might arise upon the public profession of his faith. Clifford, Arlington, and the Duke of York were entrusted with the secret of this alliance; but another treaty, in which the King's change of religion was omitted, but the other terms included, was known to Shaftesbury, Buckingham, and Lauderdale.*

Both these compacts were made under gloomy auspices. The Duchess of Orleans died suddenly; and about the same time. Anne Hyde, the Duchess of York, the daughter of the Earl of Clarendon, died also. The latter had been a concealed Roman Catholic for some years; but her two daughters, Anne and Mary, were educated in the Protestant religion, by the positive command of the King, who was afraid of endangering their inheritance to the throne, by allowing their father to bring them up in his own faith.†

27. Persecutions under the second Conventicle Act. Although the parliament was ignorant of the precise nature of these memorable negotiations, they yet had proofs, sufficient for moral conviction, that the King and his brother had conspired with France against the religion and liberty of the country. Hence that violent and factious opposition which especially showed itself in the proceedings connected with the Popish Plot and the Bill of Exclusion,‡ and

Rumours of the Treaty of Dover produced the Popish Plot and the Exclusion Bill.

* Hallam, II., 80-81; Lingard, XI., 346; Appendix, Note E.

† Macaulay, I., 218-219.

‡ Hallam, II., 84.

1670

which urged the parliament to persecute the Nonconformists, whom the court sought to relieve, in order that the Papists might be encouraged. On the other hand, the court sometimes excited this persecuting spirit, in the hope of bribing the Dissenters with that toleration which a Catholic would grant, but the Episcopalian rigorously refused. Thus, when the first Conventicle Act expired, in 1670, the court caused it to be renewed, and to be reinforced by the addition of an extraordinary proviso, enacting, that all the clauses should be construed most largely and beneficially for the suppression of conventicles, and that no proceedings made upon the authority of the act, should be in any way impeached or made void, by reason of any default in form. (22 Charles II.)

The terrors of this act fell chiefly upon obscure persons, and more than all upon the Quakers, who fearlessly adhered to their principles. They proceeded openly to their meeting-houses, and when they were carried before the magistrates, they refused to pay the fines, and were imprisoned. On their release they renewed their worship; and, if they found their chapel doors closed, they worshipped in the streets. William Penn, the son of the famous admiral, was one of the most distinguished of these early champions for religious liberty. He had already suffered for his principles in Ireland; yet he now attended the meeting-house in Gracechurch-street, and, when he found the place closed, he addressed the friends outside. On this he was indicted on a charge of riot at the Old Bailey, in company with William Mead, who had similarly offended, (September, 1670). The prisoners behaved with the customary boldness of their sect. The lord mayor and the recorder (the latter was the infamous George Jeffreys), treated them with great insolence; and committed them for contempt, after their acquittal, because they refused to uncover their heads. A fine of forty marks was also imposed on each of the jurors; but Bushell, one of their number, being committed for non-payment of this fine, sued for his writ of Habeas Corpus from the Court of Common Pleas. A return was then made, that he had been committed for finding a verdict against full and manifest evidence, and against the directions of the court, on which, Chief Justice Vaughan held the ground to be insufficient, and discharged him. Since this decision, no jury has been fined in England on account of its verdict.*

Prosecution
of Penn and
Mead.

Juries
cease to be
fined for
their
verdicts.

* Hallam, II., 173-174; Lingard, XL, 340-341, Note; Dixon's "Wm. Penn; a Hist. Biog."

28. **The Coventry Act.** The parliamentary opponents of the court had now formed themselves into a strong body, under the name of *the Country Party*, which included Puritans, Republicans, and others who, although attached to the church and hereditary monarchy, were driven into opposition by the dread of popery and of France, and by disgust at the dissoluteness and faithlessness of the court. The taunts which these men uttered against the court exceedingly annoyed Charles, who, on one occasion, attempted to restrain the freedom of speech by disgraceful means. Sir John Coventry, a country gentleman, had, in a debate upon a proposed tax upon playgoers, sneered at the King's profligacy, on which a gang of ruffians, under the Duke of Monmouth, waylaid him, and slit his nose. This ignoble revenge, instead of quelling the spirit of opposition, raised such a tempest, that the King was compelled to submit to the cruel humiliation of passing the bill known as the *Coventry Act*, by which the instruments of his revenge were attainted, and he was deprived of the power of pardoning them; and malicious maiming was made a capital felony (January, 1671).^{*} Another outrage was, about the same time, perpetrated upon the Duke of Ormond by the notorious Colonel Blood, who had been attainted for conspiracy in Ireland. To revenge himself, he attacked the duke's coach in London, by night, and succeeded in securing his person. He then bound his victim, mounted him on horseback, and was taking him to Tyburn to be hanged, when Ormond's servants came up and released him (December, 1670). Five months afterwards, Blood almost succeeded, under the disguise of a clergyman, in carrying off the regalia from the Tower. The pardon which the King granted, and compelled Ormond to grant, to this bravo, the royal pension he received, and his constant attendance at the court, threw a mystery around Charles which none could penetrate, and tended to lower still further his already degraded and iniquitous character.

The
Country
Party.

Brutal
outrage
upon
Sir John
Coventry.

Colonel
Blood's
crimes.

29. Events which ushered in the second Dutch War. On the 22nd of April, 1671, parliament having granted £800,000, the court, thus emancipated from control, proceeded to the execution of the Treaty of Dover. The financial difficulties, however, were serious, for the ordinary revenue was only sufficient to support a peace establishment, and a war with Holland had already been found enormously expensive. But the ingenuity of Ashley and Clifford soon discovered a resource. They closed the exchequer,

^{*} Macaulay, I., 211-212; Lingard, XI., 350.

1672

and refused to pay the goldsmiths and bankers, who had, according to custom, advanced money to the treasury, in anticipation of the parliamentary subsidies. This prevented the bankers fulfilling their engagements, and produced a long cessation of business; but the sum of about one million three hundred thousand pounds was placed at the disposal of the government, which was all that the ministers cared for. Meanwhile, rapid strides were made towards despotism. The Navigation Act was suspended by royal proclamation; the government took into its own hands the monopoly of certain articles of commerce; and at length the King went so far as to issue a Declaration, which suspended, by his own authority, the penal laws against Papists and Nonconformists; the former were allowed to worship in their own houses, and the latter to hold open meetings, in licensed rooms. About the same time, a piratical attack was made upon the Dutch fleet from Smyrna, as it sailed up the Channel, in the hope of capturing further supplies for the coming war. But the attack failed, and Charles found himself covered with increased disgrace both at home and abroad. The declaration of war against Holland immediately followed (March, 1672), Charles setting forth as pretexts—commercial injuries; refusal of the Dutch to strike to the English flag in the narrow seas; and Dutch libels upon his majesty. Louis, in his declaration, simply, but insolently, asserted that he disliked the Dutch republic, and that his glory required him to make war upon it.*

Shutting
up of the
exchequer.

Charles
suspends
the penal
laws against
Noncon-
formists.

War
declared
against
Holland.

30. The second Dutch war. The Dutch were the first to take the sea, where they maintained the struggle with honour. The Duke of York took the command of the English fleet; and having united with a French squadron, found the enemy lying near Ostend. But the skill of De Ruyter avoided an engagement, and when the English fleet retired to the coast, to take in further supplies of men and provisions, he came out, and a stubborn battle took place in Southwold Bay (May 28th), in which the French had little share. The fight lasted the whole day, with little advantage to either side; the Duke of York was compelled to remove his flag successively to three ships, by the destruction of his vessels; and the Earl of Sandwich, and most of his crew, were lost in the Royal James, which was blown up by a fire-ship.

Battle of
Southwold
Bay.

On land, the Dutch were at first borne down by irresistible

* Macaulay, I., 223-224; Carrel, 98-99; Lingard, XII., 6-11.

force. A great French army, under Turenne and Condé, passed the Rhine, and captured the chief fortresses on its banks ; three out of the seven provinces of the republic were occupied by the invaders, and the French outposts established themselves in the neighbourhood of Amsterdam. In this crisis, the people were more enraged against their own government than against the enemy ; and although John De Witt, the grand pensionary, had done all that man could do, in this hour of peril, popular discontent attributed to him all the misfortunes of the war. The Prince of Orange, then twenty-two years of age, was placed at the head of an army, and from the first made himself conspicuous, by his ardent and unconquerable spirit, which, though it was disguised by a cold and sullen manner, soon roused the courage of his dismayed countrymen. Nothing more was needed to recall to the nation all the merits of a family which had so long been dear to it. The Orange party became triumphant ; Cornelius de Witt, the brother of the pensionary, was arrested upon an accusation of having plotted against the life of Prince William ; and when the pensionary went to his prison, at the Hague, to take him away (the judges having banished him), the populace tore both the brothers to pieces, before the palace gate. Suspicious as was this commencement of his great career, the young Prince of Orange proved to be the deliverer of his country. He rejected all the overtures of Charles and Louis, and spoke only a high and inspiring language to his countrymen ; and he suggested to them that, even if their country was destroyed, the nation might still take refuge in the farthest isles of Asia, and emigrate, as one family, to their settlements in the Indian Archipelago. But before this, there was one other resource, which they immediately carried into operation—the dykes were opened,—and the whole country was turned into one great lake, from which the cities, with their ramparts and steeples, rose like islands. The invaders, bereft of sustenance in that desert of sand and sea, made a precipitate retreat ; the guilty league between England and France was powerless ; and now the tide of fortune turned fast. Alarmed by the vast designs of Louis, both branches of the great house of Austria sprang to arms. From every part of Germany troops poured towards the Rhine ; the English Government had already expended all the funds which had been obtained by pillaging the public creditor ; no loan could be expected from the city ; an attempt to

The
French
overrun
Holland.

The Prince
of Orange
regains
power.

De Witt
and his
brother
murdered.

The Dutch
open their
dykes,
and
flood the
country.

General
alarm at
French
conquest.

1673

raise taxes, by royal authority, would have instantly produced a rebellion; and Louis, who had now to maintain a contest against the half of Europe, was unable to furnish means for coercing the English people. It was essential that parliament should be again convoked, and it accordingly met, on the 5th of February, 1673.*

31. **Repeal of the Declaration of Indulgence.** During the recess, Clifford had been raised to the peerage and made lord treasurer, and Ashley Cooper had been made Earl of Shaftesbury and lord chancellor, in the room of Bridgeman. On these two ministers the King chiefly depended, in his dealings with the re-assembled parliament. The country party first attacked the Declaration of Indulgence, solely on account of the motives which had prompted it, and the means by which it was pretended to be made effectual. It was generally understood to be an ancient prerogative of the crown to dispense with penal statutes, in favour of particular persons, and under certain restrictions. The King might stop any criminal prosecution commenced in his courts, or pardon any prisoner. But a pretension, in explicit terms, to suspend a body of statutes, and command the magistrates not to put them in execution, arrogated an absolute power which no benefits of indulgence could induce a lover of constitutional privileges to endure. It was also generally held, that the dispensing power was confined exclusively to secular matters; but the courtiers held that, in matters of religion, the royal supremacy was unlimited. But the Commons voted that the King's prerogative, in matters ecclesiastical, does not extend to repeal acts of parliament, and they addressed him to recall his Declaration. For a moment, Charles was inclined to resist; but Louis advised him to yield, for the present; signs of disunion and treachery began to appear in the Cabal itself; and the Commons, in a second address, positively denied the King's right to suspend any law. Shaftesbury, with his proverbial sagacity, saw that a violent reaction was at hand; he, therefore, turned suddenly round, and acknowledged, in the House of Lords, that the Declaration was illegal. This compelled Charles at once to cancel the Declaration, and he solemnly promised that it should never be drawn into precedent (March 8th, 1637).

Extent
of the
dispensing
prerogative.

The eccle-
siastical
prerogative
cannot re-
peal acts of
parliament.

Shaftes-
bury's
treachery
to the
court.

32. **The Test Act. Fall of the Cabal.** The Commons, however, were not content, even with this concession, but extorted from

* Macaulay, I., 255-258; Lingard, XII., 11-18; Carrel, 92-103.

Charles his unwilling assent to a celebrated law, which continued in force until the reign of George IV.

This law, called the *Test Act*, provided that all persons holding any office, civil or military, should take the oath of supremacy, should subscribe a declaration against transubstantiation, and should publicly receive the sacrament, according to the rites of the Church of England. The preamble expressed hostility only to the papists; but the enacting clauses shut out also the Puritans, who, with much prudence and disinterestedness, supported this measure against the common enemy, and, in return, were promised relief from the persecuting laws against their worship, by the *Dissenters' Relief Bill*, which passed to the Lords, and would probably have been enacted, had not Charles prorogued the parliament (March 29th, 1673).

The effect of the Test Act was decisive. The Duke of York resigned his post of lord high admiral, and was succeeded by Rupert; Lord Clifford also resigned his office; and Schomberg and the papist officers were compelled to quit the army. In the midst of these changes, York secretly married the Duchess of Modena, a Roman Catholic princess, which, together with the failure of a second campaign against Holland, excited fierce opposition in parliament, when it re-assembled (October 20th, 1673). The Commons addressed the King, on his brother's marriage, and they resolved, among other matters, that no supply should be granted until the kingdom was rid of popery and popish counsels. When they drew up a second address (November 4th), the King summoned the Commons to attend him in the House of Lords; a tumult took place, between his messengers and the officers of the lower house; and the members, having first moved that the French alliance, the King's evil counsellors, and the Duke of Lauderdale were grievances, proceeded, in great confusion, to the upper house, where the King prorogued the parliament to the 7th of January, 1674. In the interval, Shaftesbury was dismissed, Buckingham retired, Arlington retreated into the service of the royal household, but Lauderdale remained in office. The Commons, having thus destroyed the Cabal, compelled the King to make peace with Holland (February 11th, 1674). Charles, in great annoyance, then prorogued parliament till April, 1675.*

Second marriage of the Duke of York.

Tumult in parliament.

Peace with Holland.

* Macaulay, I., 226-223; Lingard, XII., 18-43; Hallam, II., 89-93; Carrel, 108-110.

1675

SECTION III.—THE DANBY ADMINISTRATION.

1674–1679.

I. THE SECRET ALLIANCE BETWEEN CHARLES AND LOUIS.

33. Policy of the new administration. The compulsory peace with Holland and the dissolution of the Cabal, compelled Charles to change his policy; and to act more cautiously in the prosecution of the great design to which he had bound himself by the Treaty of Dover. Papists must be openly persecuted, while they were secretly encouraged; the communications with Louis must be maintained, while English interests must be loudly advocated; and parliament must be corrupted and parties divided, until the day should arrive for destroying its influence altogether by a *coup d'état*. With such treacherous objects in view, Sir Thomas Osborne, a Yorkshire baronet, who had distinguished himself in the House of Commons by his talents for business and debate, was made Earl of Danby, lord treasurer, and chief of the new administration. He was a man who, while being solicitous for his own interests, never entirely forgot those of his country and his religion; but in order to carry out his policy, he found it necessary to corrupt the parliament more than any of his predecessors. He would gladly have entered into an alliance against France, for which purpose he sought to place Temple at the head of foreign affairs. He also brought about the marriage of Princess Mary, daughter of the Duke of York, with the Prince of Orange; and thus contributed to the success of the future Revolution, and the passing of the Act of Settlement. Yet he connived at all the scandalous pecuniary transactions which took place between his master and the court of Versailles, and became, moreover, an agent in them.*

Character
of Osborne,
Earl of
Danby.

His foreign
policy.

His
domestic
policy.

In his domestic policy, Danby was desirous to exalt the prerogative by rallying round the throne, the Cavaliers, the country gentlemen, the clergy, and the universities, who had supported it in the civil wars, but were now disgusted by the crimes and errors of the court. For this purpose, and in order to secure the old royalist party in the exclusive

* Macaulay, I., 236–236.

possession of power, he proposed, at conferences which he held with them at Lambeth (January, 1675), that *all* the penal laws against Nonconformists should be revived, and that a political test should be drawn up, as a complement to the religious test already enacted.

Meantime, the members of the opposition held their consultations; but their opinions were so contradictory, and they were broken up into so many factions, that it is difficult to describe their political character. There were Old Cavaliers and Old Roundheads; Indigent Cavaliers, who lived on court bribes, and sold their votes for a guinea and a dinner every day; and Country Gentlemen, like Sir William Coventry, Colonel Birch, Sir William Waller, Lord Russell, Lord Cavendish, Lyttleton, Powle, Garraway, and Lee, men of talent, virtue, and integrity. Buckingham, Shaftesbury, Wharton, and others, led the opposition in the House of Lords: but Shaftesbury was the master spirit of the whole body. The plans that these men ultimately agreed upon were, to insist upon the recall of the Duke of Monmouth and the English troops who still served in the French army; to bring about a general alliance against Louis; to impeach the Earl of Danby, and to refuse all pecuniary aid as long as he remained in power.*

34. The Proclamation against Coffee-Houses. The bill for the imposition of the political test was introduced into the House of Lords when parliament re-assembled (April 13th, 1675); the purport of it being the exaction of an oath of non-resistance and passive obedience. But it encountered such vehement opposition, that Danby allowed it to drop. At the same time an altercation took place between the two houses respecting the appellant jurisdiction of the House of Lords;† other disputes followed, and then parliament was prorogued for fifteen months (November 22nd, 1675), the King having first obtained a subsidy. This prorogation took place at the express orders of Louis, who paid Charles 500,000 crowns for his submission. The two sovereigns, with the connivance of Danby and Lauderdale, then concluded a formal agreement not to enter upon any treaties without mutual consent; and Charles accepted a pension upon his pledge to prorogue or dissolve any parliament that attempted to force such

Leaders of
the opposi-
tion and
their policy

Disputes
between
the two
houses.

Another
secret treaty
between
Charles and
Louis.

* Lingard, XII., 54.

† See Hallam, I., 180-192, for an explanatory account of the disputes on this question.

1677

treaties upon him (February 7th, 1676). Charles himself copied out the articles, and signed and sealed them with his own hand.*

These secret negotiations soon began to be talked of publicly in the London coffee-houses, which were then the great marts for political, literary, and fashionable gossip. The government looked upon them as the seminaries of sedition. In 1666, Clarendon had proposed to put them down, and spies were always employed to frequent them for the purposes of the court.

Its discussion in the coffee-houses leads to their being closed.

It was therefore determined to close them. The statute by which the owners of these establishments took out their licences made no mention of the time during which the licence should remain in force, from which it was concluded, that the licence could be withdrawn at pleasure. Accordingly, they were all revoked by proclamation (December 29th, 1676), and the houses shut up. But such a remedy produced more mischief than the evil it was intended to abate. Such a flagrant violation of the law was considered an unanswerable proof of the arbitrary projects secretly cherished by the court, and popular indignation increased so much, that government withdrew the proclamation, and granted a general licence to the coffee-house keepers, on condition that they should not allow any scandalous reports or pamphlets to be circulated against the government.†

35. **Parliamentary Session, 1677.** The long prorogation excited a fierce debate when parliament re-assembled (February 15th, 1677). Buckingham, Shaftesbury, Salisbury, and Wharton openly declared it to be illegal, for which they were committed to the Tower, and detained there more than a year. The Commons were divided upon the question, owing to the bribes of Danby, who also obtained a present supply of £600,000, and an additional grant of the excise for three years, by the same means. But the Commons would not trust the treasurer with the money, and appointed their own receivers to superintend its disbursement.

Shaftesbury and others sent to the Tower.

The deplorable situation of Holland was the cause of this liberal grant being made. To appease popular indignation, Charles had sent Sir William Temple to mediate between Louis and the Dutch; but that upright statesman wrote word, that his instructions were diametrically opposed to the assigned object of his mission. The French were now carrying all resistance before them in the Spanish Netherlands; and the Commons, in alarm, prayed the King to oppose the French

Alarm of the Commons at French conquests in the Netherlands.

* Lingard, XII., 58.

† Ibid, XII., 92.

monarch, to withdraw the English troops from the service of Louis, and prevent him from raising men in Scotland. Charles required an immediate grant as a preliminary to a declaration of war against France; the house refused it, on which it was adjourned (April 16th). During the recess, that disgusting system of bribery which is the lasting disgrace of this parliament, and for which it has been termed "*The Pension Parliament*," was resorted to; by Spain to obtain the grant, by France to prevent it. The effect of these intrigues was seen when parliament re-assembled (May 23rd). An address was presented, praying the King to join the alliance for the preservation of the Netherlands, which pleased Spain; but the Commons positively refused any supplies before the declaration of war, which satisfied Louis, who knew that his English vassal would not dare to declare war under present circumstances. Charles was thus thrown back upon all his difficulties.

Perplexities
of Charles's
position.

He had only two alternatives; either he must quell the parliament, and the popular cry for war against France; or he must break with Louis, and openly take part with Holland. The latter determination alone, could, at that juncture, save the Restoration. Danby urgently represented this to him, saying, that since parliament had promised supplies, and asked in return only some demonstrations in favour of Holland, Charles must do as they desired; and that with the money, troops might be levied, who could be employed against France, or against the opposition at home, as he thought proper. The King listened to this evil advice, and Danby then wrote to Temple, to invite the Prince of Orange to come to England, and cement the alliance between him and Charles by a marriage with the Princess Mary.*

36. **Marriage of the Prince of Orange with the Princess Mary.** William accordingly proceeded to London at the close of the year 1677. He had formerly, in 1674, refused the hand of the princess, because he had no faith in Charles; and, after spending several weeks at Newmarket, in futile conferences with his two uncles, it seemed again likely that no marriage would take place. But owing to Danby's perseverance, all difficulties were at length smoothed down, and the marriage was celebrated on the 4th of November, to the great joy of the whole nation, but to the great annoyance of the French King, who regarded it as an act of treason on the part of his English vassal.

Charles and his brother both endeavoured to conciliate Louis, and earnestly begged him to agree to a plan of pacification which

* Carrel, 119-120.

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they proposed to him. But he only replied by the stoppage of supplies, and the King of England, thus finding all means of subterfuge at an end, declared to the parliament, at the opening of the session of 1678 (January 28th), that he was determined to succour Holland, and that the late marriage was the pledge of his sincerity. He therefore demanded a supply for 30,000 men and a fleet of 90 sail. But the leaders of the country party were now in the pay of France,* and a scandalous game of fast and loose was played throughout the session; while the independent members, who acknowledged the necessity of promptly assisting the allies, and controlling the ambitious designs of France, feared to entrust the government with troops, lest they should be employed against their own liberties. Others declared it impossible for the government to adopt patriotic principles, so long as Danby and Lauderdale were ministers; and others demanded that the kingdom should first be rid of popery. At length Danby obtained a vote of supply in general terms, by the usual means—bribery; but this was directly followed by violent debates, in which it was openly stated, that the army then being levied was for the erection of an absolute monarchy at home, and not the assistance of the Dutch. A formal resolution was then passed, positively refusing any further supply until the kingdom was freed from the dangers of popery.

Conduct of the Commons under the influence of bribery.

During these violent altercations, the French were pursuing their conquests, and by the middle of March had opened the way to Brussels, by the reduction of Ghent, Ypres, and other fortresses. Charles sent 3,000 men to Ostend, under the Duke of Monmouth; but Louis was satisfied with his present conquests, and he immediately renewed his secret correspondence with the English King, who compelled Danby to write the celebrated letter to the French monarch (March 25th) which, at a subsequent period, led to the disgrace and ruin of the minister. Montague, the ambassador, was empowered by it to make an offer of neutrality to Louis, for the price of 6,000,000 livres; and the following postscript was added in the hand of the King: "This letter is writ by my order. C.R." Louis refused the offer; Charles

The King's secret letter to Louis.

* Lord William Russell and Algernon Sydney were not altogether free from this corruption. The latter was certainly in the pay of France and Spain, and the former, though he did not actually receive money from Rouvigny and Barillon, the French ambassadors, yet did not scruple to join in their schemes for disconcerting the government. Lyttleton, Hampden, Garraway, Powle, Sacheverell, and Foley, all received sums of 500 or 300 guineas, as testimonies of the favour and munificence of Louis. (See Hallam, II., 103; also Lord John Russell's *Life of William, Lord Russell*.)

then wrote him a conciliatory letter; and negotiations were begun which speedily terminated in the Peace of Nimeguen.*

37. The Treaty of Nimeguen. The recent capture of Ghent had compelled the Dutch to solicit from Louis a separate peace, and Dauby, finding it impossible to continue hostilities, consented to a secret treaty between Charles and the French King (March 17th). It was stipulated by this treaty, that if the States did not, within two months, signify their acceptance of the terms offered at the congress of Nimeguen, which had been sitting for some time, the English King should withdraw his troops from the continent, with the exception of 3,000 men to form the garrison of Ostend, and that he should receive from Louis £450,000, in four quarterly instalments. Two conditions were imposed upon Charles—parliament was to be prorogued, and, at the end of four months, dissolved; and the English army was to be reduced to 6,000 men.

The chief powers whose ambassadors sat at the congress of Nimeguen were, Holland, Austria, Spain, and France. Brandenburg and Denmark were also in the alliance against Louis, while Sweden had joined the French monarch. Temple, Hyde, and Jenkins, the representatives of England, acted as mediators, in conjunction with the papal ambassador.

1. The Dutch, who were weary of the war, concluded two treaties, one of peace, another of commerce (August 10th, 1678). By the former, Louis restored to them all his conquests, in consideration of their promising neutrality between him and Spain. By the latter, the old commercial relations were restored. During the negotiation, the Prince of Orange, who was opposed to the treaty, fought the bloody battle of St. Denis, in which the English auxiliaries, under the Earl of Ossory, greatly distinguished themselves.

2. By the treaty with Spain (September 17th, 1678), France retained Franche Comté, and twelve important fortresses on the frontiers of the Netherlands, with their territory; including Valenciennes, Condé, Cambray, Ypres, &c.

3. By the peace between France and the Empire (February 5th, 1679), the former retained Frieburg, in lieu of the right of holding a garrison in Phillipsburg, which she had acquired by the treaty of Westphalia, when she wrested Alsace from the Empire.

The terms which affected the subordinate powers engaged, viz., Denmark, Sweden, and Brandenburg, were of no great importance, with the exception that Sweden lost her chief provinces on the south of the Baltic.†

The great loss of the war was thus borne by the decaying

* Lingard, XI., 104-121; Carrel, 121.

† Heeren's Hist. of the Political System of Europe, 141.

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monarchy of Spain. The aggrandisement of France alarmed the other princes of Europe, who attributed the results to the indecisive, vacillating, and contradictory policy of the English cabinet. "England lost her national position ^{Degradation of England.} in Europe, and became a byword for despotic states, and a scandal to the few nations that were free. Her manifestations of weakness and dishonour were held to be inherent in her mixed constitution of king and parliament, and men were taught to think, that arbitrary power was a safer and more glorious thing than regulated freedom. Despotism is always ready to rejoice, when the due balance of representative government is disturbed by the violence or the corruption of selfish factions."*

38. **Lauderdale's Persecution of the Covenanters.** The troops which were despatched to Ostend, for service in Flanders, were drawn chiefly from Scotland; and military occupation thus ceasing for a time in that country, the Presbyterian conventicles reappeared, especially in the Western Lowlands. Lauderdale interdicted them, but his orders, unsupported by soldiers, were treated with contempt. Every Sabbath, crowds assembled, for the purpose of worship, around a lofty pole, fixed in a glen, on a mountain, or in the midst of a morass; ^{Fanatical spirit of the Covenanters.} and, during the week, the minds of the people were occupied with conversation respecting the gifts and doctrines of the preachers, the dangers which they had escaped, the persecutions which they had suffered, and the place and time appointed for the next conventicle. A spirit of the most ardent and obstinate fanaticism animated the great mass of the population, and hostility to episcopacy was coupled with hostility to the government by which episcopacy was maintained. The persecuted Covenanters firmly believed that their cause was that of God, and that their enemies acted under the guidance of the Evil Spirit. They attributed to them a charmed life, when in pursuit of their master's work; and John Graham, of Claverhouse, who now began to distinguish himself as a ^{Graham, of Claverhouse.} severe executor of the laws against the *Wanderers*, as the Covenanters were called, was said to be proof against common bullets, and the black horse he rode upon was alleged to be the special gift of Satan. Another of the men who made themselves notorious in these persecutions was Captain Creighton, whose memoirs of the scenes of rapine and violence in which he took part are still extant. Many are the melancholy tales which the peasantry

yet tell, of the strange escapes, hard encounters, and cruel exactions of this period. The caverns and dens in which the *Wanderers* concealed themselves are still shown; the green-plover or Peas-weep, which, by its instinct of following any human beings whom it sees in its native wilds, often led the soldiers to some remote conventicle, is still hated in Scotland, and its nest destroyed, when found by the shepherd; and sadder memorials still, are the number of headstones, and other simple monuments, which were erected, after the Revolution, over the graves of the martyrs. Many years ago, an old man rode upon a white pony, throughout the persecuted districts, and made it his business to repair and clean these tombstones of the sufferers.

From the peculiarity of his appearance and occupation, "Old Mortality," he acquired the nickname of *Old Mortality*, and he is the hero of one of Sir Walter Scott's most charming novels.

When Lauderdale found that, in spite of all his efforts, the conventicles only increased constantly, he sent to London for troops. Artillery and cavalry were immediately sent, and as if these were not sufficient for the work, he was authorised to employ the Highland clans who from time immemorial were the fierce enemies of their Lowland neighbours. These barbarians fell upon the Presbyterian districts, devastating the cultivated lands, and carrying off the flocks and herds as in the old times. The Presbyterians opposed a vigorous resistance. Lauderdale then summoned them to deliver up their arms; he called upon the richer classes to sign a bond promising never to attend the conventicles, or relieve intercommuned or outlawed persons; and when these failed, he applied the writ called *lawburrows* in a most oppressive way. By this writ, a man who was afraid of violence from his neighbour, upon making oath to that effect, could have the party bound over to keep the peace. Lauderdale caused application to be made for this writ, on the King's behalf, against all who refused to sign the bond, and thus every man was accounted as a rebel. The Duke of Hamilton and several other distinguished noblemen went to Edinburgh for the purpose of remonstrating against these unjust proceedings; but their arrival threw Lauderdale into utter fury; and we are told that he tucked up his sleeves to the elbow, and swore what he would do before the whole council. Hamilton, Athol, Perth, and others then went up to London, to supplicate Charles himself. The English parliament was sitting when the Scottish lords arrived, and it

Sufferings.
of the
Wanderers.

Increased
severities
of the
persecution

Scottish
noblemen
go up to
London to
protest
against
them.

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received their complaints with warm sympathy. The time had gone by when Englishmen were indifferent to these persecutions. They saw in the Covenanters, a people upon whom experiments of tyranny were being made, which it was not as yet thought advisable to attempt in England. A gloomy stupor took possession of the popular mind; alarming reports of a foreign invasion to destroy the national church and liberties were circulated; and the nation was in such a temper, that the smallest spark might raise a flame. At this conjuncture, fire was set to the vast mass of combustible matter, by the avowed discovery of a Popish Plot; and the whole nation was at once in a blaze.*

National
dread at
this crisis.

II. THE POPISH PLOT.

39. Origin of the Plot. One Titus Oates, a clergyman of the Church of England, and formerly an Anabaptist, had been compelled, in consequence of his infamous character, to resign his benefice and go abroad, where he became a Roman Catholic, and obtained admission into the Jesuits' college at St. Omer. In this and other seminaries, he heard much wild talk about the best means of bringing England back to the true church, and from the hints thus furnished, he constructed the Popish Plot, in conjunction with Dr. Tonge, rector of St. Michael's. The scheme was communicated to one Kirby, a chemist, who was known to the King. On the 12th of August, 1678, this Kirby accosted the King as he was preparing to walk in the park, and begged him not to separate from the company, because his life was in danger. This led to a private interview in the evening, when Dr. Tonge attended, with a copy of the narrative which Oates had drawn up, and accused two men of a conspiracy to murder the King. Danby insisted on the inspection of the papers mentioned in the information, and was told that on a certain day five letters, revealing the details, would arrive at the post-office, addressed to Bedingfield, confessor to the Duke of York, who when he received them, said they were forgeries. After this, Oates made affidavit of the truth of his statements before Sir Edmondbury Godfrey, a zealous Protestant and an eminent justice of the peace, who, surprised to discover in the list of conspirators the name of his friend Coleman, secretary to the Duke of York, immediately revealed the secret to him. The

Oates,
Tonge, and
Kirby, the
originators
of the plot.

* Macaulay, I., 241.

next day (September 26th), Oates appeared before the council, and made the following statement:—

The Pope had entrusted the government of England to the Jesuits, who had, by commissions under the seal of their society, appointed Roman Catholic clergymen, noblemen, and gentlemen, to all the highest offices in church and state. The papists had burnt down London once; they had tried to burn it again in 1676, by setting fire to Southwark; and they were at that moment planning a scheme for setting fire to all the shipping in the Thames. They were to rise at a signal, and massacre all their Protestant neighbours; a French army was, at the same time, to land in Ireland, and all the leading statesmen and divines of England were to be murdered. Three sets of assassins were provided for the murder of the King; and for the due performance of all this, a grand *consult* of Jesuits, from all parts, had met at the White Horse Tavern, in the Strand, in the previous April, and fixed all the arrangements of the conspiracy.

The public mind was so sore, that all these lies readily found credit with the vulgar; and two events which speedily followed induced even some reflecting men to suspect that the tale had some foundation.

40. *Discovery of Coleman's Papers. Murder of Godfrey.* Search was immediately made among the papers of Coleman, who had already destroyed the greater portion; but the few which had escaped contained passages which seemed to confirm the evidence of Oates. There were two letters addressed to Pere La

The letters to Pere La Chaise.

Chaise, the confessor of Louis XIV., which spoke of "a mighty work," "no less than the conversion of three kingdoms," "and the utter subduing of a pestilent heresy," of which "there were never such hopes since the days of Queen Mary, as now in our days," when there was a prince "zealous of being the author and instrument of so glorious a work." These passages, when candidly construed, appear to express little more than the hopes which the posture of affairs, the predilections of the King, the still stronger predilections of his brother, and the relations existing between the French and English courts, might naturally excite in the mind of a Roman Catholic strongly attached to the interests of his church. But the country was not then inclined to construe the letters of papists candidly; and it was reasonably urged, that if these papers had been passed over by the duke's secretary as unimportant, some great mystery of iniquity must have been contained in those documents he had destroyed.*

This discovery had only just been made when the popular ferment was wrought to a higher pitch, by the sudden and extraordinary

* Macaulay, I., 143.

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disappearance of Sir Edmondbury Godfrey, whose corpse was found, after a few days' search, in a dry ditch, on Primrose Hill, pierced through the heart with his own sword, and having, on the neck, marks of strangulation. The papists were, of course, suspected of his murder; although the motive was altogether a mystery. The capital and the whole country went mad with hatred and fear. The penal laws, which had begun to lose something of their edge, were sharpened anew. Everywhere justices were busied in searching houses and seizing papers. All the gaols were filled with papists, and those who were not householders were banished from London. The capital had the aspect of a city in a state of siege; the train bands were called out, and kept on permanent duty; preparations were made for barricading the streets; patrols marched up and down; cannon were planted round Whitehall; and no citizen thought himself safe unless he carried, under his coat, a small flail, loaded with lead, to brain the popish assassins. The corpse of the murdered magistrate was publicly exposed for several days, and was then interred with strange and terrible ceremonies, which indicated rather fear and the thirst of vengeance, than sorrow or religious hope. The houses, which had re-assembled (October 21st), insisted that a guard should be placed in the vaults over which they sat, in order to secure them against a second Gunpowder Plot, and all their proceedings were of a piece with this demand.*

General
panic
caused by
the murder
of Godfrey.

41. Proceedings in Parliament in Connection with the Plot. Although, in his examinations before the council, Oates betrayed his impostures in the grossest manner, by the ignorance he manifested of the persons he accused, and the seminaries he professed to have visited, the Earl of Danby, who was the opponent at court of French influence and Catholic interest, strongly advised Charles to proclaim to the parliament his entire belief in the plot. But the King refused to do so, and freely told that assembly what he thought of Oates's disclosures. The parliament did not agree with his opinion. They demanded a public fast; the Commons examined Oates, who enlarged upon his disclosures amidst the frantic applause of the house; and they resolved that, from the evidence they had heard, there had been, and was at that moment, a damnable plot, on the part of the papists, for the murder of the King, and the destruction of the government and the Protestant religion. The Lords also adopted this resolution, and soon afterwards the *Parliamentary*

Rage of the
parliament
at the
King's
disbelief
in the plot.

* Macaulay, I., 244.

Test Act, or Catholic Exclusion Bill, was passed (November 30th).

By this act members of both houses, on taking their seats, were required to make a declaration against transubstantiation and the invocation of saints. The oath of supremacy was already taken by the Commons, but not by the Lords. The act, therefore, deprived the Catholic peers of their seats, as that oath had hitherto excluded Catholics from the lower house. These disabilities continued in force till the passing of the Emancipation Act in 1829.

It had now become dangerous to disbelieve Oates's fabrications. He accused several peers of having received papal commissions, and Wakeman, the Queen's physician, of a project to poison the King. One Bedloe surrendered himself at Bristol, and, pretending that he was cognisant of Godfrey's murder, said he could point out the assassins; and he published a pamphlet containing his revelations. But the most impudent statement had yet to be made. Oates accused the Queen of high treason at the bar of the House of Lords, saying that he had overheard her majesty say to some Jesuits, at a secret meeting in Somerset House, that she would assist them in taking off the King. The Lords, however, refused to listen to so foul a charge.

42. *Trials of the Reputed Conspirators. Effects of the Plot.* A series of horrible transactions in connection with this famous plot now began, which furnishes a fearful example of the atrocities that may be committed under the excitement of religious animosity. The trials of the accused persons commenced in November, with the prosecution of Stayley, a Catholic banker. He was executed upon a ridiculous accusation brought forward by Carstairs, a Scotchman, who swore that he heard the banker say in French, that the King was a rogue, and that he himself would kill him if nobody else would. Coleman was next brought to trial upon the charges made against him by Oates and Bedloe, convicted of high treason, and executed. Three Jesuits were the next victims; and then two Papists and a Protestant were executed for the murder of Godfrey, upon the testimony of Bedloe, and the pretended confession of one Prance, a silversmith. The prisons were filled with hundreds of suspected traitors; and five peers, Arundel, Petre, Stafford, Powis, and Bellasis, were confined in the Tower under impeachment. No friendly voice arose to save these men. The King and his brother, as well as the French ambassador, who well knew the real nature of these imputed crimes, were cowed into silence, and no generous remonstrance was made by the enlightened men who saw in the

Catholic
Exclusion
Bill
passed.

Oates
accuses
the Queen.

Execution
of Stayley
and
Coleman.

Five peers
sent to the
Tower.

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accusations merely a specious but useful argument against popery. Many influential members regarded Oates and Bedloe, to use Lord Shaftesbury's expression, as men fallen from heaven expressly to save England from tyranny, and they took care not to disabuse the popular mind of its superstitious fears. Even the most respectable of the clergy, Stillingfleet, Sharp, Barlow, Burnet, Tillotson, and Sancroft, fully credited the charges, and, by their sermons, roused the national outcry against the unfortunate papists. The courts of justice were disgraced by the most brutal manners and the most iniquitous partiality when the accused were tried. The judges, Scroggs, North, Jones, and Pemberton, explained away all the palpable contradictions of the witnesses for the crown; they insulted and threatened the accused; they checked all cross-examination, and they assumed the truth of the charge throughout the whole of every trial.* Yet this remarkable occurrence, strikingly illustrative as it is of the temper of the people, was really pregnant with important consequences. It awakened the nation out of the deep lethargy in which it had reposed for nineteen years, and alarmed it with fears and jealousies which subsequent events showed to have been too well grounded; and it began that struggle between Charles and the people, which obliged him not only to dissolve his first favourite parliament, and the three which followed, but likewise to call no more during the rest of his reign. From which many dismal effects followed.†

Who
believed in
the plot.

Influence
of the plot
upon future
events.

As for Oates, he walked about attended by guards. He had lodgings in Whitehall, and a pension of £1,200 per annum. He put on an episcopal garb; called himself the Saviour of the Nation; whoever he pointed at was arrested, so that men got out of his way as from a blast, for his breath was pestilential, poisoning the reputation of every one over whom it fell.‡

Oates in
Whitehall.

43. The Fall of Danby. In the midst of all this frenzy and excitement, the King's intrigues with France were discovered, and Danby's fall thereby precipitated. Montague, the English ambassador at Paris, was urged by Louis, who happened to be out of humour with Charles, to betray the secrets of his sovereign's French negotiations. The ambassador was also offended with the government at home, and he therefore came to England and obtained a seat in parliament, for the purpose of making the exposure. Danby, in alarm, ordered his papers to be seized, on

* Hallam, II., 123. † Dr. Wellwood's Memoirs, quoted in Knight's Pop. Hist., IV., 338.

‡ Roger North's Examen. See, generally, Lingard, XII., 129-165.

The reports of these proceedings, of the menacing speeches of the candidates on the hustings, and the audacious charges uttered against the Duke of York, so alarmed the King, that he advised his brother to retire to the continent before the parliament assembled.

The national party had the advantage in nearly all the elections, and when the session opened, a violent altercation took place, respecting the choice of a speaker (March 6th, 1679). Seymour, the speaker in the late parliament, was re-elected, but he was Danby's enemy, and it was resolved that, when he came, according to the custom, to beg of the King to be excused, his prayer should be granted. Aware of this intention, Seymour omitted the petition when he presented himself, and merely stated that he stood there to receive the royal approbation. But Charles declined to accept him, and ordered the Commons to elect Sir Thomas Meres. They objected, and chose Serjeant Gregory, whom Charles approved of, and thus saved to his crown the right of refusing the speaker elect. But the Commons took from the privy counsellors, by whom it had hitherto been exercised, the privilege of proposing their speaker, and extended it to any member of the house.*

This matter being disposed of, the impeachment of Danby was immediately resumed. A question arose, as to whether an impeachment, by the Commons, in one parliament, could be continued in another. The Lords resolved that, "the dissolution of the last parliament did not alter the state of impeachments brought up by the Commons in that parliament;" and, though their decision was subsequently reversed, it was affirmed in 1791, at the impeachment of Warren Hastings.† A still more important question arose, out of the following circumstance. Danby had absconded, on the unexpected revival of the impeachment; but, finding that an act of attainder was likely to pass against him, in consequence of his flight from justice, he surrendered himself to the usher of the black rod; and, on being required to give in his written answer to the charges of the Commons, pleaded a pardon, secretly obtained from the King, in bar of the prosecution. The Commons resolved that the pardon was illegal and void, and ought not to be pleaded in bar of an impeachment by the Commons of England, and they demanded judgment against Danby. They next resolved that no commoner whatever should presume to maintain the validity of the pardon thus pleaded, without their consent, on pain of

Danby
pleads a
royal pardon
in bar
of his im-
peachment.

* Lingard, XII., 176-177.

† Hallam, II., 114-119.

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being accounted a betrayer of the liberties of the Commons of England. They denied the right of the bishops to vote on this question, and then demanded that the form and manner of Danby's impeachment, as well as that of the five imprisoned popish lords, should be prepared by a committee of both houses. The upper house, at first, resisted this demand, as an encroachment upon their exclusive judicature; but they afterwards acceded, although they resolved that the bishops *had* a right to sit and vote in parliament, on capital cases, until judgment of death should be pronounced. A prorogation put an end to these differences, and Danby's impeachment fell to the ground. The main point in controversy—whether a general or special pardon from the King could be pleaded, in answer to an impeachment of the Commons, so as to prevent any further proceedings, never came to a regular decision; but, after the Revolution, the Act of Settlement distinctly provided, that no pardon, under the great seal of England, can be pleaded to an impeachment of the Commons in parliament. The crown, however, retained its right of pardon, and the House of Commons expressly acknowledged this, with regard to the reprieve of some of the rebel lords, in 1715.*

Decision
as to its
legality.

45. **Appointment of Temple's Council.** After the fall of Danby, a great experiment was resolved upon, at the suggestion of Sir William Temple. His notion was, that the conduct of the government should not depend upon the particular character and intentions of two or three ministers, or upon any select body of ministers, such as was then known as the Cabal, and is now called a cabinet; but that it should be entrusted to a council, smaller in number than the privy council, which was composed of fifty members; that the counsellors should be men who, by their eminence, wealth, and independence, had a large share in the national interests, and that the King should submit all matters to their advice. This ingenious scheme showed that Temple clearly discerned the cause of the difficulties which beset the government, and the change which was gradually creeping over the constitution. The parliament was slowly, but constantly, gaining ground on the prerogative. It was a prerogative that the King should name his own ministers, yet the Commons had successively driven them all from power. The King alone could make peace or war; yet he had been forced into a peace with Holland, and almost into a war

Gradual
change of
the con-
stitution.

* Hallam, II., 111-114.

with France. He was the sole judge of the cases when it might be proper to pardon offenders ; yet, at this very moment, he did not dare to release Danby and the popish lords from the Tower, though he knew they were innocent. Temple sought, therefore, to secure to the legislature its undoubted constitutional powers, and yet prevent it from encroaching upon the executive administration. For this purpose he gave to the privy council a new character and office in the government. He fixed the number of counsellors at thirty—half of whom were to be ministers, and the other half, unplaced noblemen and gentlemen of fortune and character. There was to be no inferior cabinet, all the thirty were to be entrusted with every political secret, and summoned to every meeting, and the King was to be guided by their advice on every occasion.

Nature of
of the new
council.

But this plan, though worthy in some respects, was vicious in principle. The new board was half a cabinet, and half a parliament, and being meant to serve two purposes, viz., to secure the nation against the tyranny of the crown, and the crown against the encroachments of the parliament, failed to accomplish either. It was too large, and too divided, to be a good administrative body ; too closely connected with the crown to be a good checking body ; and contained just enough of popular ingredients to make it a bad council of state, unfit for the keeping of secrets, the conducting of delicate negotiations, and the administration of war. The plan, moreover, was never fairly tried ; for the King was fickle and perfidious, the parliament excited and unreasonable, and the materials out of which the new council was made, though, perhaps, the best which that age afforded, were still bad.* Finding it to be unmanageable, Temple soon infringed one of the fundamental rules which he had laid down. He joined with himself three other ministers, and, with them, directed all the affairs of state. The first of these was Capel, Earl of Essex, the treasurer, a man of liberal principles, who hated the manners of the court, and detested popery, as incompatible with liberty. The second was Saville, Viscount Halifax, a statesman of a fertile, subtle, and capacious intellect, more philosophical than practical ; a lofty genius, and an eloquent orator. He was the chief of those politicians who, from their constant shifting from one party to another, were called *Trimmers*. The third was Spencer, Earl of Sunderland, a man of keen understanding, but in whom the political immorality of the age was personified in the

Its disad-
vantages.

Chief
statesmen
in it.

* Macaulay, I., 250-251.

1679

most lively manner.* Shaftesbury, now the idol of the people, was named president of the council ; and among the other members were Lords Russell and Cavendish ; Sir William Coventry, secretary of state under Danby ; Sir Francis North, and Edward Seymour.

46. *Proceedings of the New Parliament. 1679-80. The Exclusion Bill.* The formation of a cabinet in the new council soon created divisions in it, and Shaftesbury, with some others, again betook themselves to the opposition. The agitation about the Popish Plot still continued ; and the House of Commons openly accused the Duke of York of being the author and encourager of the Plot. Aware that their real object was to deprive his brother of the succession, Charles proposed the enactment of a compromise, by which, in the event of a Catholic succeeding to the crown, the sovereign should be deprived of all church patronage, and of all power to appoint officers without the authority of parliament. But the Commons would hear of no compromise, and they carried, by a majority of 79 (May 21st, 1679), their famous *Exclusion Bill*.

This bill provided that, whereas James, Duke of York, had been seduced to the church of Rome by popish priests, and had been prevailed on by them to enter into negotiations with the Pope and King of France, ^{The Exclusion Bill.} for the purpose of subjecting this kingdom to popery, he should be incapable of inheriting the crown of England and Ireland ; that, if he returned from the continent, he should be, and was thereby attainted of high treason ; and that the crown should fall, on the King's death, to the nearest in succession who had always professed the Protestant religion of the Church of England.

This bold measure was too bold, indeed, for the spirit of the country, and was the rock on which English liberty was nearly shipwrecked.† But the ardour of the Commons ^{Other bills against the court.} was not yet quenched by corruption ; they were decidedly hostile to the court ; and they brought in five other bills, all stamped with the same spirit of opposition. The *first*, ordered an inquiry to be made as to the members who had sold themselves to the court under the two preceding administrations, the outline of which strongly resembled the celebrated Act against Delinquents ; the *second* expelled from the house all persons who held salaried offices ; the *third* ordered the disbanding of the standing army ; the *fourth* regulated the periodical assembling of the militia, and was similar to that which Charles I. had refused to sanction ; and the *fifth* was the famous *Habeas Corpus Act*. The third and last of these bills had passed, when Charles, without the advice and knowledge of his new council, went down to the House of Lords,

* Macaulay, I., 252-257.

† Hallam, II., 125.

and prorogued the parliament (May 26th) for the term of ten weeks, and during this interval dissolved it by proclamation.

47. **The Habeas Corpus Act.** The two bills which were passed received the royal assent. The *Habeas Corpus Act*, which was one of these, did not introduce any new principle into the Constitution; but made the remedies against arbitrary imprisonment short, certain, and easily obtainable. Attempts had been made to pass different portions of the act ever since 1668, and, in 1673-4, the Commons had passed two bills; one to prevent the imprisonment of the subject in gaols beyond the seas, the other to give a more expeditious use of the writ of Habeas Corpus in criminal matters. The cause of these attempts to guard more securely the freedom of the subject from arbitrary imprisonment was, the illegal proceedings of Clarendon, in committing men to distant gaols, beyond sea.* The two bills passed by the Commons were now consolidated into one, which enacted,

1. That on complaint or request in writing, made by or for a prisoner, the lord chancellor, or any of the judges, on viewing a copy of the warrant of commitment, or affidavit that a copy is denied, shall award the writ of Habeas Corpus for such prisoner to be brought before them before the expiration of *three* days, unless the place of commitment is beyond the distance of *twenty* miles and less than a hundred, in which case the return must be made within *ten* days, and if beyond the distance of a hundred miles, within *twenty* days at the farthest. The refusal of the writ subjects the judge to a penalty of £500, to be paid to the prisoner.

2. That when the prisoner is brought up, the judge shall discharge him on bail, if his offence is bailable, to appear when summoned.

3. That officers and keepers neglecting to make the returns, or not delivering to the prisoner or his agent, within six hours after demand, a copy of the warrant of commitment; or shifting the prisoner from one custody to another, without good reason or authority (specified in the act) shall, for the first offence, be fined £100; for the second £200, to be paid to the prisoner; and then be deprived of office.

4. That no person once released by this writ shall be recommitted for the same offence, on a penalty of £500.

5. That the prisoner shall, if he requires it, be tried at the very next sessions of gaol delivery, unless the crown's witnesses cannot be produced at that time; and if acquitted, or not indicted or tried at the second session, he shall be discharged.

6. That the writ shall run into the counties palatine, cinque ports, and other privileged places, and the islands of Guernsey and Jersey.

7. That no inhabitant of England shall be sent prisoner to Scotland, Ireland, Jersey, Guernsey, or any places whatever beyond sea, except in cases of transportation, or the prisoner has committed some capital offence in the place to which he is sent. The infraction of this clause subjects the offending officer to the heaviest penalties known to the English law, except that of death. The

* Hallam, II., 175-176.

1670

act only extended to *criminal* cases, treason, and felony; but was extended by the 56 George III. to any case in which the subject is restrained in his liberty.*

48. Popular Agitation after the Dissolution of Parliament. The new revolutionary movement which began with the pretended discoveries of Oates and his colleagues, was not arrested in its course by the loss of its great political arena, the parliament, but made its way through all the paths which remained open to it. The pulpits resounded with sermons in which the maxims of the Jesuits were held up to horror and contempt; the courts of justice continued to witness the bitterness of the judges against the victims of Oates, and the fierce applause of the people at each fresh condemnation; and the press, again free by the dissolution of parliament,† increased the general overflow of passion. A multitude of pamphlets appeared, in which the exclusion Political pamphlets. of the Duke of York and the extent of the royal prerogative were fiercely discussed; in other publications the Presbyterians attacked Episcopacy, and attributed to it the counter-revolutionary proceedings of the court; while the bishops, in their journal *The Observer*, recriminated against the Protestant dissenters.

During these disputes, the Episcopalians were furnished with a terrible argument against their adversaries by the murder of Archbishop Sharpe, the Scottish primate, whom the Covenanters hated more than any man in Scotland. The avenger who first conceived himself drawn to the task of executing judgment upon the primate for his desertion from the old cause, and his cruel persecution of it afterwards, was one Mitchell, a fanatical preacher, who in 1668 fired a pistol at the archbishop's carriage, and then escaped abroad, but returning to Edinburgh in 1674, was discovered and arrested. He was brought before the council, and was induced to confess his guilt by a solemn promise that his life should be spared. The council doomed him to perpetual imprisonment on the Bass Rock, after they had tortured him with the boot. At the end of three or four years he was brought to trial, and his own confession was produced against him, while the promise of his life which had been entered upon the records of the privy council, was solemnly denied by Lauderdale, Sharpe, and the other ministers.‡ He was executed (January, 1678); but instead of diffusing that salutary terror which was intended, his execution acted as a stimulus to revenge. In the county of Fife, a few religious enthusiasts, who encouraged

Mitchell's
attempted
murder of
Archbishop
Sharpe.

* Blackstone's Commentaries, III., 137; Creasy, 292.

† The act restraining the press had been enacted to continue in force only till the end of the parliament.

‡ Scott, II., 32.

each other in their secret prayer-meetings, and accepted the denunciations of the Hebrew Scriptures to smite the wicked, as holy impulses to murder the enemies of their own form of worship, resolved upon the sacrifice of the archbishop, "the Judas who had sold the kirk of Christ," and Carmichael,

Murder of
Archbishop
Sharpe.

the commissioner of the council. Ten of these fanatics, led by John Balfour, or Burley, of Kinloch, and his brother-in-law, Hackston, of Rathillet, went forth in search of their intended victims, who, being warned of their danger, escaped. They were about to disperse in sullen disappointment, when the wife of a farmer at Baldinny sent a lad to tell them that Archbishop Sharpe's coach was on the road returning from Ceres towards St. Andrews. Blind with enthusiasm, they immediately considered that God had delivered their great enemy into their hands, and they set off at full speed in pursuit of their victim, who was then driving along Magus Muir, a desolate heath three miles to the west of St. Andrews. Their approach was soon announced to the prelate, who, turning to his daughter Isabel, his only companion, said, "Lord have mercy upon me, my dear child, for I am gone." The coachman in vain lashed his horses to their utmost speed; the ruffians soon overtook them, discharged their pistols into their carriage, wounded the postillion, and cut the traces. They then dragged the unhappy prelate from his carriage, and inhumanly butchered him, while his daughter struggled vainly with the murderers to save her aged father (May 3rd, 1679).

49. Second Rising of the Covenanters. Battles of Drumclog and Bothwell Brig. The perpetrators of this outrage fled into the west, and assembling the more violent of their partisans, manifested their contempt of the civil government by extinguishing the bonfires which were lighted on the 29th of May, in the burgh of Rutherglen, in honour of the King's restoration. They also burnt the acts of parliament for restoring prelacy and suppressing conventicles: and, on the 1st of June, being Sunday, held a field conventicle on Loudon Hill. Graham, of Claverhouse, set out from Glasgow with three troops of dragoons, for the purpose of dispersing them, but they utterly discomfited his forces at Drumclog, and drove him back to the city, their ranks receiving constant accessions, not only of the Cameronians, who would admit of no compromise of the Solemn League and Covenant, but of moderate Presbyterians, who were indignant at the tyranny under which the country groaned. But

Claverhouse
defeated at
Drumclog.

1679

their camp was divided into rival sects, each despising the other as much as they hated their common oppressor, and, at Glasgow, they were repulsed in their first attack, although they compelled Claverhouse to withdraw towards Edinburgh.

The council in London were now thoroughly alarmed, and the Duke of Monmouth was sent to Scotland to take the command of the troops. He left London in all haste, and, having

collected a force of about 5,000 men in the north of England, encamped on Bothwell Muir, within two miles of the enemy, on the 22nd of June. The moderate Presbyterians

The Duke of Monmouth in Scotland.

made some attempts to negotiate, declaring their willingness to submit all their grievances and controversies to a free parliament and a free assembly of the church. The duke expressed his readiness to intercede with the King on their behalf, but required that they should in the meantime lay down their arms. The

violent party, however, under the Duke of Hamilton, would listen to no other terms than that Monmouth and his associates should "lay down the weapons which they

The battle of Bothwell Brig.

had taken up against the Lord and his people." Both sides, therefore, prepared for the battle. The insurgents were well posted behind the Clyde, which could only be crossed by a high, steep, narrow bridge, having a portal or gateway in the centre, and called Bothwell Brig. Rathillet, Balfour, and others defended this important pass, but being feebly supported, their men gave way when Monmouth's troops charged them at the point of the bayonet, and the main body, panic-stricken at the general advance of the enemy and the execution of the artillery, dispersed like a flock of sheep. Monmouth gave strict orders to afford quarter to

all who asked it; but Claverhouse burned to revenge his defeat at Drumclog, and his dragoons and Highlanders

Cruelties of Claverhouse.

made a terrible slaughter. Above four hundred fell in the pursuit, and two hundred and seventy were sent as slaves to the plantations. Monmouth's mild government restored tranquillity for a short time, and his gentleness did more than all that tyranny and violence had effected since the Restoration.

50. Dissolution of the Council of Thirty. The excitement in England, which still continued, and which was sustained by the fears of the Duke of York succeeding to the throne and re-establishing popery and absolute power, was now suddenly increased by an unexpected illness which threatened abruptly to carry off the King (August). Urged by Shaftesbury and the popular leaders, Monmouth instantly left Scotland; and York also left

Brussels secretly, and came to London by the King's command. The court was in commotion; for these two personages were now publicly talked of as rivals for the succession. To preserve some tranquillity they were both sent away—Monmouth to Flanders, and James to Scotland as lord high commissioner (September and October, 1679); but the advice which James had given to the King was immediately acted upon. The elections for the new parliament had everywhere gone unfavourably for the court; the cry for the Exclusion Bill had been louder than ever, and with it had been mingled another cry, that the Duke of Monmouth, generally reputed the eldest natural son of the King, by his mistress, Lucy Walters, had been born in wedlock, and was the lawful heir to the crown. Charles, therefore, determined to defer the meeting of parliament as long as possible, and renew his former relations with Louis XIV. He accordingly prorogued parliament for a year, without consulting the council, and he removed Shaftesbury from his office of president. Thus Temple's plan of government was avowedly abandoned; the privy council again became what it had been, and Temple and Essex resigned. Halifax and Sunderland remained in the King's service, and were speedily joined by two other statesmen, Lawrence Hyde, second son of the Earl of Clarendon, and Sidney Godolphin (January, 1680).

York and Monmouth rivals for the succession.

The new parliament prorogued before it meets.

II. THE GREAT WHIG AGITATION.

51. Rise of the Whigs and the Tories. The country party now set on foot all the powerful machinery they had at command for exciting the national feelings. All the prejudices of the people were still stimulated into an unchristian hatred of Roman Catholics. The processions of Queen Elizabeth's anniversary (November 17th) were repeated; the pope was burnt in effigy at Temple Bar; and the bonfires of the 5th of November were lighted with unusual displays. On the 28th of November, Monmouth, the *Protestant Duke*, as the people called him, suddenly returned, and was welcomed to the city by the ringing of bells and the lighting of bonfires. Charles deprived him of all his offices, and ordered him to quit the kingdom. But he obstinately remained, saying his presence was necessary to preserve the King's life from the daggers of the papists. As another expedient for keeping up this political excitement, petitions for the meeting of parliament were got up all over the kingdom, by grand juries,

Protestant demonstrations.

1680

common councils, corporations, and other public bodies. Charles published a proclamation declaring it illegal to subscribe petitions contrary to law; but as he did not declare what laws were broken by the petitions, the proclamation was simply absurd. Many, however, began to compare the present agitation to that which had marked the year 1641, and the fears of a second revolution awakening their apathy, declarations were got up in which they declared their abhorrence of the petitions. Thus the kingdom was broken up into two grand parties. Those who opposed the petitions were called *Abhorrrers*; and because the majority of them were *anti-exclusionists*, they were also called *Yorkists*. Then *Tantivy* became a by-word against them; and, as the Duke and the Irish were for the most part in agreement, they were called *Bogtrotters*, and then *Tories*, the name of the Popish outlaws in the north of Ireland. The *petitioners* were first called *True Blues*, as they were not satisfied with the plain Protestant blue of the church; then *Birmingham Protestants*, in allusion to the false groats counterfeited at that place; and afterwards *Whigs*, because they were willing to tolerate Nonconformists, the Whigamore Covenanters, and all Protestant sects. In such an age, when cant words became common, two new words, "remarkable memorials of a season of tumult and imposture," were added to the language, viz., *Mob* and *Sham*.*

Petitions
for the
meeting of
parliament.

Cant names
of the two
great
political
parties.

52. The Meal-tub and Yorkshire Plots. In the midst of all this political convulsion, the Duke of York returned to London, and assumed that ascendancy in the court which he retained till the end of the reign. The Whigs, therefore, concentrated all their hostility against him. The tale of Monmouth's legitimacy was revived. It was said that the witnesses to the King's marriage with Monmouth's mother, Lucy Walters, were still alive; that the contract itself, enclosed in a little black box, had been entrusted by the late Bishop of Durham to the custody of his son-in-law, Sir Gilbert Gerard, and that several persons were ready to depose that they had both seen and read the document. But every one of the persons named in these reports disclaimed all knowledge of the box, the contract, or the marriage, when brought before the council; and the King solemnly renewed the declaration he had made to York before the Duke's late exile, that he was never married to any other than the Queen. To parry this blow, Shaftesbury, accompanied by Lords Russell

Story of
the "little
black box."

* Macaulay, I., 266-267; Knight's Pop. Hist., IV., 350-351.

and Cavendish, and several peers and commoners, went before the grand jury at Westminster, and presented the Duke of York as a Popish recusant. But the chief justice defeated this bold measure by discharging the jury while Shaftesbury was consulting some of the judges (June 16th, 1680).

The Whigs next had recourse to the renewal of the Popish Plot, and a new brood of false witnesses infested the courts. Conspicuous among these informers was a villain named Dangerfield, who pretended that he had found in a tub of meal a series of letters, written by Presbyterians, concerning a project to assassinate the King and exclude the reigning family. The court affected to regard them as authentic; but judges and juries were not so ready to believe and condemn as they were during the late panic. When parliament met, Shaftesbury caused Dangerfield to be examined by it, and the informer declared that he had been paid by the court to fabricate the letters, and that he could confirm the revelations of Oates and Bedloe by further evidence. At the same time one Bolron accused his old master, Sir Thomas Gascoign, and other Yorkshire gentlemen, of a design to assassinate the King and restore popery, and one man named Thwinge was executed at York on his evidence.

While these rumours were being got up by the Whigs, Louis XIV. was in active correspondence with both the court and opposition, bribing and flattering the leaders of both. The Whigs thought that they could gain over the King to assent to the Exclusion Bill, and for that purpose they induced the Duchess of Portsmouth to undertake the task, promising the King an ample grant of money and the right of naming his successor. But the intrigue failed.

53. Defeat of the Exclusion Bill. Execution of Lord Stafford. At length the session opened (October 21st, 1680), and, on the 26th, Lord Russell moved that the suppression of popery, and the prevention of a popish successor, should be taken into consideration. After many days' debate in the House of Commons, a bill was passed, on the 15th of November, "*for securing of the Protestant religion, by disabling James, Duke of York, to inherit the imperial crown of England and Ireland, and the dominions and territories thereunto belonging.*" The debate of the Lords was long, earnest, and unusually furious. Shaftesbury and Essex were joined by Sunderland, but the genius of Halifax bore down all opposition. He exposed the hypocritical ambition of Monmouth with all his powers of wit and sarcasm; he rebutted

York
presented
as a Popish
recusant.

Dangerfield
and the
meal-tub
plot.

The second
Exclusion
Bill.

1680

the arguments of Shaftesbury with an eloquence which surpassed the most favourable expectations of his friends; he developed the arts and intrigues of the Exclusionists in a manner which was keenly felt and deeply resented; and the speeches he made were remembered many years afterwards, as masterpieces of reasoning, wit, and eloquence. It was his proposition that limitations* should be placed upon the sovereign power in the event of the duke succeeding to the throne; but they were of such a nature that, except a title and revenue, a popish king would enjoy no one attribute of royal, and a greater revolution would have been effected than by an alteration of the succession.† The bill was rejected by the Lords, by a majority of 63.

Speech of Halifax.

Bitterly mortified by this defeat, the Whigs found some consolation in reviving the impeachment of the popish lords in the Tower. The aged Viscount Stafford was selected as the first victim; and, on the lying evidence of Oates, Dugdale, and Tuberville, was found guilty of high treason, and executed (December 29th, 1680). The circumstances of his trial and execution ought to have given a useful warning to the Whig leaders. A large and respectable minority of the House of Lords pronounced the prisoner not guilty; and the multitude loudly expressed their belief that Stafford was a murdered man. When, with his last breath, he protested his innocence, the cry of the populace was, "God bless you, my lord! We believe you, my lord!" A judicious observer might easily have predicted that the blood then shed, would shortly have blood.‡ This was the last execution on account of the Popish Plot; it contributed nothing to the power of the country party, but rather, by exciting commiseration, tended to increase the disbelief in the whole plot which began now to prevail.

Execution of Lord Stafford.

The violence of the Commons manifested itself also in other forms. They arrested the most conspicuous of the *Abhorrrers*; they impeached Chief Justice Scroggs, for dismissing the grand jury when the Duke of York was presented as a popish recusant, for interfering with the publication of certain

Violence of the Commons

* These limitations were:—1. That the Duke of York should be disabled from holding office in England, or any of its dependencies; that, at the King's death, the parliament then sitting, or if none were then in being, the last parliament, should sit for six months; that neither James, nor any Catholic successor, should possess the right of veto; that the right of treating with foreign states, and of appointing to all offices, civil, military, and ecclesiastical, should be reserved to the parliament while it was sitting, or to a council, at other times; that the Duke of York should be liable to the penalties of treason if he came to England during the King's life, and to the forfeiture of all his property if he resided within 500 miles of the British shores.

† Hallam, II., 134; Fox's Hist. of the Reign of James II.

‡ Macaulay, I., 270.

newspapers, and for declaring that "he would have regard to persons and their principles, in imposing of fines;" they resolved not to grant a supply till the Duke of York was excluded; and they committed several persons, one a clergyman, for a violent sermon against the memory of Queen Elizabeth; and another, a citizen of Bristol, for declaring that there was no Popish, but a Presbyterian plot. For several months, there appeared a very imminent danger of civil war. James had openly expressed his desire to refer his rights to the decision of arms, and A civil war imminent. Leveson Gower, a Commoner, had proposed that the members should repair to their respective counties, and maintain their cause by the sword.* The votes were marked with the most extravagant factiousness. The Commons addressed the King to remove Halifax, and others, from his councils and presence, for ever; they resolved that no member should accept any office under the crown; that any man who lent money to the King should be adjudged to hinder the sitting of parliament, and be punished accordingly; that those who advised a prorogation were traitors to their country, and pensioners of France; that the great fire was caused by the papists; and that the enforcement of the laws against the Protestant Dissenters was an encouragement to popery. They were proceeding with more resolutions, in the same spirit, when the King prorogued, and then dissolved, the parliament (January 18th, 1681.†

54. **The Oxford Parliament.** The proclamation which dissolved the parliament also summoned another to meet at Oxford, the court selecting this city because it was afraid that the new House of Commons would declare itself permanent, like its predecessor in 1641, and call upon the magistrates and citizens of London for aid. On the day of meeting (March 21), the Whigs came, Warlike appearance of the new parliament. attended not only by their armed tenants and servants, but by numerous bands of their partisans; and the four city members were followed by thousands of the citizens, all armed, and wearing ribbons on their heads, with the menacing device, *no slavery! no popery!* The King was also attended by a numerous guard, and the slightest provocation might have produced a civil war.

Charles opened the session in a bolder speech than usual, because he had, only a week before, concluded a secret treaty with Louis XIV., engaging to break faith with his allies, and join France, on the payment of an ample pension. He spoke of an expedient with

* Carrel, 151.

† Hallam, II., 143; Lingard, XII., 258-269.

1681

regard to the succession of his brother, and proposed that James should be banished for life, but that he should succeed to the crown, and govern only by a regent, first by the Princess of Orange, and next by the Lady Anne. The Commons insisted upon the Exclusion Bill; but the threatened contest was diverted by the following circumstance:—A dispute arose between the two houses, concerning the refusal of the Lords to receive the impeachment of one Fitzharris, who had written a violent libel against the King and the Duke, and put it in the pocket of one of the Whig leaders, to implicate him in a treasonable design. Impeachment of Fitzharris. Fitzharris sought to save himself from the severity of the Commons by pretending that he had some important court secrets to reveal, on which he was committed to the Tower, and the attorney-general was instructed to prosecute him. As a protection against the certain punishment which thus awaited him, the Commons impeached Fitzharris, and when the Lords objected to this proceeding, they resolved that it was their undoubted right to impeach any peer, or commoner, of high treason, and that the refusal of the Lords was a violation of the constitution of parliament*. The dispute, at last, became so bitter, that Charles, afraid of danger ensuing, dissolved the parliament (March 28th, 1681).

III. ROYALIST REACTION, AND ESTABLISHMENT OF ABSOLUTE POWER.

55. Court Prosecutions. The dissolution of parliament, after it had sat only seven days, obliged the King to issue a declaration, in which he laid all the blame of so extraordinary a measure upon the violent and insulting votes of the Commons. The opposition answered by a very elaborate "Vindication," drawn up by Sidney, Somers, and Jones. But it produced little effect, for the terrors of a popish conspiracy, the existence of which was assumed by the document, had passed away, and men were more afraid of a civil war, a result to which the desperate policy of the opposition was certainly tending. Moved by this apprehension, the majority of the upper and middle classes rallied round the throne. Addresses of attachment and confidence, as unmeasured in their servility as in the days of James I., were

Reaction in favour of the court.

* Hallam maintains that Blackstone is wrong in saying a commoner cannot be impeached (Const. Hist., II., 143-145). Lord Campbell is of Blackstone's opinion, Chancellors, II., 357.

presented to the King from all quarters of the kingdom, and in that which proceeded from the university of Cambridge all the principles of divine right and passive obedience were plainly declared.*

The courts of justice soon became busy. Fitzharris was tried, convicted of a treasonable libel, and executed. Plunket, the Roman Catholic Archbishop of Armagh, was convicted of an Irish Popish Plot, and sacrificed by the court, which believed him to be innocent, that the popular suspicions of the King's popish tendencies might be removed. Dugdale and Tuberville swore away the lives of numerous Protestants, as they had before sworn away those of Papists. They accused one College, called "The Protestant Joiner," of having meditated an attack upon the King's guards at Oxford. He had foolishly swaggered about Oxford, with a sword and pistol, but this was all he had done. The grand jury, composed of Whigs, ignored the indictment, on which the court transferred the trial to Oxford, where he was condemned and executed. In the second trial, Oates came forward and contradicted Dugdale's evidence, and in return the court withdrew his pension, and turned him out of Whitehall.

56. Trial of Shaftesbury. Emboldened by these victories, the court now resolved that Shaftesbury, the arch-agitator himself, should be brought to trial for his life. The Irish witnesses who had been brought over to give evidence against Plunket, swore that the Earl had suborned them to give false testimony against the Queen, the Duke of York, and others. On their statements, he was committed to the Tower (July, 1681), and in the meantime his house was closely searched for papers. Only a written project of an association against the Duke of York was found, but it was not in the Earl's handwriting. On this evidence alone an indictment against him was presented to the grand jury at the Old Bailey (November 24th). The sheriffs of London, chosen by the citizens, were zealous Whigs, and they named a Whig grand jury, which ignored the bill. The hall shook with applause at this result; bonfires were lighted in the streets; and a medal, which gave Dryden the subject of a poem, was struck to celebrate the triumph. Shaftesbury quitted the Tower.

This defeat, far from discouraging those who advised the King, suggested to them a new and daring scheme. Since the charter of

* Carrel, 156; Lingard, XII., 282, Note.

1682

the capital was in their way, that charter must be annulled; and since the refusal of the grand jury to find a true bill against Shaftesbury was owing to the selection of jurymen by Whig sheriffs, obedient sheriffs must be obtained who would summon pliant jurymen. This scheme was carried out in a very remarkable manner. In former times it had been usual for the lord mayor, at the Bridgehouse feast, which was sometime before the 24th of June, to drink and send the large gilt cup to a citizen whom he named as sheriff of London and Middlesex for the year ensuing. The livery selected the other sheriff of their own free choice; but for the last forty years both sheriffs had been elected by the Common Hall. Now, however, at the recommendation of the King, Sir John Moore, the lord mayor, sent the cup to a brother of the chief justice, Dudley North. When Midsummer-day came, and the new sheriffs had to be approved of by the liverymen, there was a tremendous uproar in Guildhall, and the lord mayor's cup sheriff was unanimously refused. The lord mayor adjourned the Common Hall. It was then contended that the adjournment was illegal, and on a subsequent day counsel were brought to argue the point amidst the noise of contending factions. The contest continued for several months, and the city was in a perpetual fever. The lord mayor opened a poll, at which North and another court candidate were elected; the sheriffs opened another poll, at which two popular candidates were chosen. The chief justice and his tool, Sergeant Jeffreys, bullied and intrigued; and in the end, Dudley North and a fit coadjutor were sworn into office (September 28th, 1682). At the election of lord mayor the court candidate had the majority, and thus the King had both the mayor and sheriffs at his devotion. It was clear that if another indictment had been presented against Shaftesbury, he would have had small chance of saving his head. He therefore fled to Holland, accompanied by his constant friend, the famous John Locke (December, 1682).*

The court obtains the appointment of a city sheriff.

Shaftesbury escapes to Holland.

57. The Duke of York in Scotland. In the meantime, the Duke of York was manifesting in Scotland that spirit in which he purposed to govern the two countries when the power should fall into his hands. A small body of Presbyterians, calling themselves *Hillmen*, or *Cameronians*, had risen in arms, and been surprised and defeated at Airmoss, in Ayrshire (July 22nd, 1680). The prisoners were taken to Edinburgh,

Tortures inflicted on the Cameronians.

* Lingard, XII., 293-313.

where they were first tortured, and then put to death. Rathillet, one of the murderers of Sharpe, was among them, and he was treated with diabolical cruelty. His hands were chopped off, and his heart was torn out before he was quite dead. The duke was present at all these horrors, which he witnessed with an unmoved countenance, as though they were some curious surgical experiments. Women even were brought to the scaffold, and because they refused to cry "God bless the King," were also put to death. Others were condemned to hard labour for life; while the majority of the men were enrolled and sent abroad for the service of Spain.*

In the midst of these scenes, the news of the dissolution of the Oxford parliament reached Edinburgh. James was overjoyed; he warmly congratulated his brother, and advised him to call no more parliaments in England. But he asked and obtained authority to call one in Scotland, on the plea that he should be able to manage it thoroughly, and by its means counterbalance all that the factious parliaments of England had done. It will be remembered that the parliament of Scotland was not composed, like that of England, of two chambers, but of one only, in which the bishops sat with the Lords and the Commons. The dangerous tumult of general discussions was unknown within its walls, because the various questions were discussed by a committee, called the *Lords of the Articles*; the remainder of the assembly merely sanctioning or rejecting the decisions of this committee. Lauderdale had always been able to control the *Lords of the Articles* at his will, and the duke reasonably expected similar submission, although there were influential men in the committee, as the Duke of Hamilton and the Earl of Argyle, who were opposed to his claims. However, when parliament met (July 28, 1681), a resolution was passed, declaring that the succession to the crown was indefeasible; and a *Test* was enacted, which asserted the King's supremacy, renounced the covenant, inculcated passive obedience, and disclaimed any attempt to change the civil or religious establishments: but it also bound all those who took it, to adhere to the Protestant religion. The courtiers proposed that all princes of the blood should be exempted from this Test; on which the Earl of Argyle objected, saying plainly, that the greatest danger from popery, in his opinion, was, that a prince of the royal family should allow himself to be drawn into it, and that it were better to have no test at all than one which permitted of such an exemption. When the earl took the oath,

Submissive
character of
the Scottish
parliament.

It enacts
a Test
against the
Covenant.

* Lingard, XII., 297-298; Scott, II., 46-48; Macaulay, II., 73-78.

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he added, "saving the right that every good Protestant and faithful subject has to propose, according to his conscience, beneficial reform in church and state." He was asked to add this reservation in writing. He did so, and thus fell into an odious trap; for he had scarcely signed his name than he was arrested on a charge of high treason, and immediately condemned to death by a special commission. His daughter, however, effected his escape, and he reached Holland in safety (December 21st, 1681).

Escape of
Argyle.

Scotland was now wholly under the feet of the tyrant. Judicial murders were committed in every district of the southern and western counties; hundreds were outlawed, and more than eighty ministers were expelled from Edinburgh for refusing to take the test. The enraged Presbyterians then formally renounced their allegiance; this led to the adoption of more violent measures, the execution of which was left to the Duke of Queensberry and the Earl of Aberdeen, while James repaired to London (February, 1682).

The
Covenanters
renounce
their
allegiance.

58. **Confiscation of the Charters.** The court was now in the full enjoyment of its triumph, and the Whigs, so late in the heyday of their pride, lay prostrate everywhere. In London, and throughout the country, sheriffs were now virtually appointed by the crown. At the bidding of the court, these officers could pack the jurymen on state trials; while care could be taken that the jurymen were exhorted from the pulpit, to regard all resistance to authority as a sin, and unquestioning obedience to it a virtue. It was also to be alleged that the peace of the country required verdicts in favour of the crown in every trial, and that it was the duty of every good man to assist the King's judges and the King's attorney in condemning the accused, that the throne might be placed upon the solid foundation of the people's implicit obedience. The danger of resisting these doctrines, and of raising the standard of insurrection, was manifest to every man by the presence of a standing army, consisting of two regiments of household cavalry, two regiments of foot guards, a regiment of dragoons, and five other regiments of foot. There was no war to give employment to this small army; nor any foreign garrison to absorb a portion of it, for Tangiers, which came to the crown as the dowry of Queen Catherine, was abandoned. The army was wholly available for the repression of sedition at home.*

The
doctrine of
passive
obedience
inculcated.

A royal
army
dangerous
to liberty.

* Knight's Pop. Hist., IV., 369.

The rebellious city of London was the first place selected to be taught its new duties. The power of the democracy and of the middle classes resided in the corporations, where the old Puritan spirit still survived, and Liberty and Protestantism were names which stirred the most sluggish spirits into patriotism. These corporations returned a majority of the representatives of the Commons, and so long, therefore, as they were animated with these patriotic feelings, there was little prospect of obtaining a parliament that would co-operate with the Stuart scheme of government. It was suggested, therefore, by some crafty lawyers, that a judgment of forfeiture obtained against the corporation of London, would not only demolish that citadel of insolent rebels, but intimidate the rest of England by so striking an example. An infor-

An information brought against the corporation of London.

mation, *quo warranto*, was accordingly brought into the court of King's Bench against the corporation; two acts of the common council being alleged as sufficient misde-

meanours to warrant a judgment of forfeiture. The first was, the imposition of tolls upon goods brought into the city markets by an ordinance or by-law of their own; the other, their petition to the King in 1679, for the sitting of parliament, and its publication throughout the country. The court pronounced judgment of forfeiture against the corporation, but the judgment, at the request of the attorney-general, was only recorded; the city continued to possess apparently its corporate franchises, but upon submission to certain regulations, viz., that no mayor, sheriff, recorder, or other

Regulations of the new charter.

chief officer, should be admitted until approved by the King; who, if he twice disapproved their choice, should appoint an officer himself; but that in the case of sheriffs,

he should at once nominate his own officers, if the first choice did not receive his approval. The corporations, thus bound hand and foot, continued to be the slaves of the court till their shackles were struck off by the Revolution of 1688. Other corporations were terrified into the surrender of their charters, and, to use the words of North, Charles II.'s most unblushing advocate, Judge Jeffreys on the northern circuit in 1684, "made all the charters, like the walls of Jericho, fall down before him, and returned laden with surrenders, the spoils of towns." All these towns received new charters, framing their constitution on a more oligarchical mode, and reserving to the crown the first appointment of those who

Renewed persecution of the dissenters.

were to form the governing part of the corporation. At the same time that these confiscations were thus being enforced, the penal laws against the Nonconformists

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which had remained dormant during the ascendancy of the Whigs, were executed all over the kingdom with extreme rigour. To show that the court would also revenge itself, even upon individuals, for past occurrences, the Duke of York prosecuted Pilkington, the late sheriff, for having used some hasty and violent words concerning him, after his return from Scotland. Pilkington was fined £100,000.

59. **The Rye-House Plot.** But the spirit of the Whigs was not yet subdued. Schemes of resistance were discussed; it was proposed that there should be simultaneous insurrections in London, Cheshire, Bristol, and Newcastle, and communications were opened with the discontented Presbyterians in Scotland. Amongst the leaders of this conspiracy were, the Duke of Monmouth, Lord Essex, Lord Howard of Escrick, and Lord William Russell. Lord Melville, Sir John Cochrane, Baillie, of Jerviswood, and others from Scotland, were in London on business when they were informed of the enterprise. They joined it at once, and returned to Scotland to raise their different districts. Algernon Sydney, son of the Earl of Leicester, Lord Grey, and Hampden, grandson of the venerable patriot, were the last to join it.

A general
conspiracy
proposed.

Another design, of a very different nature, was meditated by the more violent at the same time. Rumsey and Ferguson, two of Shaftesbury's former agents; Walcot, an Irishman, who had served in Cromwell's army; Rumbold, another old Cromwellian officer, and others, were engaged in this plot. These men considered that the murder of the King and his brother was the shortest and surest way of vindicating the Protestant religion and the liberties of England. They proposed that forty men should attack the King and his guards as they returned from Newmarket, at the Rye-House, which belonged to Rumbold, and was situated in a lonely spot near Hoddesden. This scheme was known to few, and was not revealed to the upright and humane Russell, or to Monmouth. Both conspiracies were prematurely discovered. Keeling, a vintner, first communicated them to the government; then Rumsey surrendered and gave further information; next came Shepherd, a wine merchant, who gave an account of a meeting of the conspirators which had been held at his house, and betrayed Russell, Sidney, and Wildman, who were sent to the Tower. Howard and Essex were arrested soon after; Monmouth, Grey, Ferguson, and another, escaped (June and

The more
violent
conspire to
murder the
King and
the Duke.

Both
conspiracies
are betrayed
to the court.

July, 1683). Shaftesbury, whose violent counsels and desire for vengeance had started the conspiracy, escaped in the very beginning of the enterprise, and died in Holland some months before (January 21, 1683).*

60. Trial and Execution of Lord William Russell. The trial of Lord William Russell, for his share in this conspiracy, began on the 13th of July; the witnesses against him being Rumsey, Shepherd, and Lord Howard.

Rumsey deposed that Russell had attended a meeting at Shepherd's, the object of which was the King's assassination. Shepherd confirmed this evidence. Howard, who betrayed his friends to save his own life, divulged no more than was extracted by his own danger. As soon as he began to give his evidence, a rumour ran through the court that Essex had committed suicide in the Tower. The rumour was true; and the fact was considered as a proof of the unfortunate earl's guilt, as well as of that of the prisoner. Howard's evidence went to show that Russell had attended the meeting at Shepherd's, and that he had twice met with Monmouth, Essex, Sidney, Hampden, and himself (who, with Russell, were called the *Council of Six*), to consult on the most appropriate plan for the commencement of an insurrection, and upon sending an agent to Scotland to form a party there. The witnesses for the accused could only declare that they did not believe the prisoner capable of entering into so dark a conspiracy. Russell made a short defence; simply, but solemnly, denying the charges imputed to him, and alleging that he only went to Shepherd's inadvertently, for the purpose of tasting some wine; that he was ignorant of any conspiracy against the King's person, and had heard no mention of it at Shepherd's. His chief argument rested on the statute 25 Edward III., which declared the *levying* of war, and not the *intention*, to be treason. The court, however, rejected all that was said in his favour, and convicted him of treason, although Chief Justice Pemberton, who presided, by no means advanced, in his directions to the jury, the proposition that a conspiracy to levy war is in itself an overt act of compassing the King's death. He limited it to cases where the King's person might be put in danger; as in the immediate instance, by the alleged scheme of seizing the royal guards; and his language was such as might have produced a verdict of acquittal from a jury tolerably disposed towards the prisoner. But the new sheriffs, being men wholly devoted to the prerogative, had taken care to return a panel in whom they could confide.†

After the Revolution, an act was passed (1 William and Mary), annulling Russell's attainder, and expressly declaring that he was, "by partial and unjust constructions of law, wrongfully convicted, attainted, and executed for high treason." His wife, the celebrated Rachel Russell, daughter of the Earl of Southampton, calmly sat beside him, throughout the trial, taking notes of the evidence, assisting him in every way as a secretary, and sustaining him by her tenderness, devotion, and

* Read Hallam's observations on the great political error which the Whigs committed by this attempt at insurrection. *COUNT. HIST.*, II., 152-153. Also Lord John Russell's *Life of Russell*, p. 253.

† Hallam, II., 155.

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fortitude. She made the most extraordinary efforts to save his life, but Charles was not to be moved, even by the offer of £100,000; and the great patriot was beheaded, July 21st, 1683, in Lincoln's Inn Fields. He went to his death with Christian fortitude. The parting with his noble wife was most touching.

61. Trial and Execution of Algernon Sidney. The trial of Algernon Sidney was postponed to the 21st of November, and during this interval Pemberton was removed from the bench, and his place filled by the appointment of Jeffreys, who had been one of the counsel for the crown in the late trial.

Lord Howard, of Escrick, was again the chief, and the only living, witness; but the Statute of Treasons required two witnesses. The defect was supplied by a manuscript found amongst Sidney's papers, in which treasonable principles were held to be advocated. This document was a refutation of Filmer's work upon government, written many years before, and had no relation whatever to the charges now brought against Sidney. But Jeffreys took care to insinuate, in his charge to the jury, that the doctrines it contained, approving of conspiracies against Nero and Caligula, and questioning the legitimacy and absolute right of kings, were treasonable in themselves, and that the writing of them, even in a private and unpublished paper, amounted to an overt act of treason; Sidney was, therefore, convicted, in the utter absence of all legal evidence; and, on the 7th of December, was executed on Tower Hill.

The manifest iniquity of this sentence, as well as the high courage he displayed throughout the last scenes of his life, have inspired a sort of enthusiasm for the name of Sidney, not quite warranted by our knowledge of his life, or the opinions of his contemporaries. He was the last of the Commonwealthmen, of the school of Vane. He possessed a powerful, active, and undaunted mind, and was extensively acquainted with those works, ancient and modern, which treated of the topics in which he delighted. But his views were narrow, and his temper was unaccommodating; and, although his character was exalted, he was proud and unbending, the establishment of a republic in England being the sole object of his political conduct.* His religious belief passed as no more than Deism, although he sent for Presbyterian ministers, and had several communications with them at the close of his life. His relations with Barillon, the French ambassador, form the one great stain upon his character, and have never been satisfactorily explained.†

Of the other participators in this alleged conspiracy, Monmouth was ultimately pardoned; Armstrong was given up by the States of Holland, and executed, without a trial, upon his sentence of

* Hallam, II., 157.

† Macaulay, I., 279; Lingard, XII., 327-332; Carrel, 175-177; Knight, IV., 372-374.

outlawry; Hampden was fined £40,000; Halloway, another of the conspirators, was taken in the West Indies, and executed (1684).

62. The Closing Circumstances of Charles's Reign. The connection of the English Whigs with the malcontents in Scotland gave birth to another terrible persecution in that enslaved kingdom. All the forms of law were utterly set at naught. A troop of justiciaries, attended by soldiers, spread themselves over the country, and, being left entirely to their own discretion, committed the most terrible acts of violence. Torture was administered to suspected persons, as well as to those accused, with a ferocity exceeding even that of the times when the Duke of York superintended the process of the boot. Sentences of forfeiture were lavishly pronounced; the prisons were filled with Covenanters; fathers and husbands were made responsible for the submission of their wives and children to the *Test*, and every one was called upon to attend the episcopal worship, under pain of fine or imprisonment. Aberdeen opposed this last measure, and was superseded by Lord Perth, a Catholic, under whom Baillie, of Jerviswood, and others, the last of the Rye-House conspirators, perished (December, 1684).

In England, the Duke of York had openly succeeded to the chief administration of affairs, in reward for his consent to the marriage of his daughter, Anne, with a Protestant—Prince George of Denmark; he had also been restored to his offices of high admiral and privy councillor, in open violation of the Test Act. But this was not the only offence against the plain letter of the law which Charles committed. Three years had now elapsed since the dissolution of the Oxford parliament, yet no writs were issued, although the counties were, for the most part, Royalist, and the boroughs were all at the King's mercy. The Oxford divines, moreover, had materially contributed to degrade the free monarchy of England into a despotism, by the publication of the celebrated university decree against pernicious books and damnable doctrines. They anathematised, and "consigned to everlasting reprobation," the seditious and impious principle that civil authority is originally derived from the people; that there was any implied contract between a king and his people: passive obedience being the only duty of a subject in respect to the government under which he lived. Other propositions, taken from the works of Buchanan, Bellarmine, Milton,

Another
terrible
persecution
in Scotland

The Duke
of York
resumes
his offices,
contrary to
the Test
Act.

Despotie
doctrines
preached
at Oxford
and
elsewhere.

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Goodwin, Baxter, Owen, Knox, Hobbes, Goodman, Cartwright, and others, were included in the same category, and likewise condemned.* Sir George Mackenzie, the lord advocate of Scotland, published a treatise, in which he maintained that "whatever proves monarchy to be the best government, does, by the same reason, prove absolute monarchy to be the best government." Sir Robert Filmer's posthumous work, which had the honour of being refuted by Locke, inculcated doctrines equally as extreme, and destructive to the liberty of the subject. Indeed, "we can form no adequate conception of the jeopardy in which our liberties stood under the Stuarts, especially in this period, without attending to this spirit of servility which had been so sedulously excited."†

These breaches of the constitution, and these slavish doctrines, were not, however, unanimously approved of, even by the King's ministers. Halifax, in particular, now lord privy seal, from the very day on which the Tories had, by his help, gained the ascendancy, began to turn Whig. He had pressed the House of Lords to make a provision against the danger to which the liberties and religion of the nation were exposed by the prospect of a Roman Catholic successor. He now saw with alarm the violent reaction which had set in, and the servile doctrines which were preached. He detested the French alliance, and disapproved of the long intermission of parliaments; and he took every opportunity of resisting the establishment of absolute monarchy, and of advising the King to return to constitutional principles. The Duke of York, and Hyde, Earl of Rochester, always opposed him; the court, in consequence, became the theatre of mysterious intrigues, and Charles himself was, at last, alarmed at the rapid strides his brother was making towards popery and arbitrary government. The King of France, seeing himself no longer in need of the alliance of the English King, withdrew his pecuniary aids, and allowed the publication of the secret treaty of 1670. At the same time Charles discovered the intrigues of the French ambassador with his malcontent Commons. These circumstances induced him to listen to Halifax; he secretly sent for Monmouth from Holland, and resolved to entrust him with an important command, to convoke a parliament, and to banish his brother.‡ Whether he would have carried his resolutions into effect, can only

Halifax
opposed
to them.

He prevails
upon the
King to
reject the
advice of
the duke.

* See Lingard, XII., 326-327; Carrel, 183. † Hallam, II., 163.

‡ Hallam, II., 166; Carrel, 184-185.

be conjectured; for, while the hostile parties were anxiously awaiting his determination, he was suddenly seized with some extraordinary malady, in the midst of apparently perfect health, and, in a few days, died (Friday, February 6th, 1685).

The
King's
sudden
death.

CHAPTER VI. THE REIGN OF JAMES THE SECOND.

JAMES II. *Reigned* three years and ten months, from February 6th, 1685, to December 11th, 1688. *Born*, 1633. *Married* (1) Anne Hyde, daughter of the Earl of Clarendon, November 24th, 1659; (2) Mary, daughter of Alphonso III., Duke of Modena, November 26th, 1673. *Died* at St. Germain, September 6th, 1701.

SECTION I.—FROM THE KING'S ACCESSION TO THE SUPPRESSION OF MONMOUTH'S REBELLION. 1685.

1. *Early Indications of James's Policy.* The first proceeding of the new monarch was to assemble the council, and assure them of the integrity of his purposes with regard to the religion and liberties of the country.

"I have been reported," he said, "a man for arbitrary power, but that is not the only story which has been made of me. I shall make it my endeavour to preserve this government, both in church and state, as it is now by law established. I know the principles of the church of England are for monarchy, and the members of it have shown themselves good and loyal subjects; therefore, I shall always take care to defend and support it. I know, too, that the laws of England are sufficient to make the King as great a monarch as I can wish; and as I shall never depart from the just rights and prerogatives of the crown, so I shall never invade any man's property."

James
promises
to preserve
the
established
laws and
religion.

This speech James said he spoke from his heart, without premeditation; Finch, the solicitor-general, put it down in writing, word for word, and James, little thinking that such gracious promises, when placed upon record, might afterwards be produced against him, signed the solicitor-general's report, and ordered it to be published. Prudence compelled him to have his coronation celebrated in the Protestant form, though he refused to partake of

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the sacrament. Hitherto he had attended the Romish worship privately, but on the second Sunday after his coronation he went openly to mass, and shortly afterwards announced that his brother had died in the communion of the church of Rome. His court swarmed with Romanists, and Father Petre, the Jesuit, Talbot, an Irish Roman Catholic, afterwards Earl of Tyrconnel, Jermyn, afterwards Lord Dover, and other papists, together with the unprincipled Sunderland, were his secret and confidential advisers. But Halifax, Godolphin, Sunderland, and the Earls of Rochester and Clarendon, the two sons of Lord Clarendon, were his ostensible ministers.

The court
filled with
Roman
Catholics.

Under the guise of liberty of conscience and freedom of worship, the judges were ordered to discourage religious prosecutions, and to discharge all persons confined for the refusal of the oaths of allegiance and supremacy. But this relief only extended to Papists and Quakers, the only dissenters who refused to take them; and the real disposition of the government towards the Protestant dissenters was shown by the enactment, in the Scottish parliament, of new penalties against the Covenanters. Those who preached in a covered conventicle, or attended one in the open air, became liable to death and confiscation of property; and the wild Highland soldiers of Claverhouse were freely let loose upon the people, to kill and plunder* (May, 1685).

The
Covenanters
still perse-
cuted.

In civil matters, James had not been three days on the throne before he committed an illegal act, by the unauthorised levy of the customs, the grant of which had expired on the death of the late King. The proclamation which ordered this levy certainly summoned parliament to meet on the 19th of May; but the only legal method was to collect the duties and keep them apart in the exchequer until parliament disposed of them, as the Lord Keeper Guildford advised.† Thus early did James show that the promises he had made were of no worth, because he had made them to heretics.

James
levies the
customs
contrary to
law.

2. **Punishment of Oates.** There were two remarkable trials in this early part of the reign, which must have had a considerable influence upon public opinion with regard to the royal intentions. The first was the prosecution of Titus Oates for perjury, whose conviction was undoubtedly just, but whose punishment was most atrocious and blood-thirsty. This renegade had already been in prison for some time, in default of the payment of a fine of £100,000,

* Hugard, XIII., 13-14; Macaulay, II., 70-78. † Hallam, II., 214.

for libelling the Duke of York; he was now condemned to pay a further fine, to be stripped of his canonical habit, to be twice publicly whipped at the cart's tail from Aldgate to Newgate, and thence to Tyburn, and to stand five times in the pillory every year of his life. He went through both floggings, surviving even 1,700 lashes, to the disappointment of the judges, who regretted that the law did not allow them to condemn him to death. Dangerfield also underwent a brutal flogging, and died at the end of it, though one Francis was hanged for having murdered him by a wound, as it was alleged.

3. Trial of Richard Baxter. While the Papists were thus gratified with the exhibition of these barbarous scourgings, the Puritans were terrified by the prosecution of Richard Baxter, the great Presbyterian minister. In a Commentary on the New Testament, he had complained, with some bitterness, of the persecutions which the dissenters suffered. He was, accordingly, tried for a seditious libel, and, when his counsel moved for time in which he might prepare a defence, Jeffreys, the chief justice, replied, "I would not give him a minute more to save his life. I can deal with saints as well as with sinners. There stands Oates on one side of the pillory; and if Baxter stood on the other, the two greatest rogues in England would stand together." Jeffreys would have ordered him to be flogged at the cart's tail; but he was overruled by the other judges. Baxter was fined and imprisoned for eighteen months. He was in his seventieth year.*

4. The First Parliamentary Session. When parliament met, James openly declared his policy. He was resolved, he told them, to maintain the established government in church and state; but he was apprehensive that they would dole out money to him from time to time, in the hope that he should be compelled to call them oftener together. But he would not be so treated, and if they wished him to meet them often, they must use him well; *i.e.*, if they would not give him money as he wished, he would take it. The Commons received this strange speech with loud cheers; and they voted the continuation of the civil list granted in the late reign, in addition to the revenues which James enjoyed as Duke of York; in all, nearly two and a half millions.†

One member alone—Sir Edward Seymour, a Cavalier of the staunchest breed—had the courage to stand up against the govern-

* Macaulay, II., 65.69.

† Macaulay, II., 90; Hallam, II., 215; Carrel, 192; Knight, IV., 386; Fox.

If the
parliament
will not
grant
money
James will
take it.

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ment. He did not resist the grant, but he maintained that the first thing to be done was, to ascertain who were legal members of the house, especially when the laws and religion of England were in evident peril. No one ventured to second his motion, though many secretly approved of it, and the speech made a considerable impression upon the public mind. It was notorious that the great majority of the members had obtained their seats by corruption; many had been returned by corporations which had no legal existence; the new charters which had lately been given to other corporations placed the election of members entirely in the hands of the crown, and the returning officers, everywhere, had been its unscrupulous agents. The majority of the members, however, were zealous churchmen, who, while they promptly provided for the King's necessities, expected, in return, securities for the church. They therefore unanimously adopted two resolutions; the first expressing fervent attachment to the church of England; the second calling upon the King to enforce the penal laws against all dissenters whatsoever. But when James angrily resented this conduct, they resolved, that they had entire confidence in his majesty's gracious promise to protect that religion which was dearer to them than life itself. And to conciliate the King still more, they imposed additional taxes upon sugar and tobacco, and thus placed James in possession of a permanent revenue more than sufficient for the support of his government in time of peace. The House of Lords eagerly joined in these proceedings. The four popish lords and the Earl of Danby were also released from the Tower, and the attainder of Lord Stafford would have been reversed, had not the session been disturbed by the news of a formidable insurrection which had broken out in the west of England (June 12th).

Bold conduct of Sir Edward Seymour.

The Commons zealous for the church.

5. The Invasion of Argyle. The Whigs who escaped to the continent when the late plot, so fatal to their hopes, was discovered, were of two classes, who had little in common except their hatred of James, and impatience to return from banishment. The leaders of the Scots were Argyle, Sir Patrick Hume, Sir John Cochrane, and Fletcher of Saltoun; of the English, Monmouth, Lord Grey of Wark, Rumbold, Ferguson, Ayloffé and Wade, two lawyers, the former a relation of the Hydes, and Goodenough, formerly under-sheriff of London. All these refugees met at Amsterdam when they heard of the death of Charles, and it was agreed that Argyle should invade Scotland, while Monmouth invaded England. The States did not interfere

Whig refugees in Holland.

with their preparations, for although the Prince of Orange endeavoured to prevent them, he had no power over the authorities of Amsterdam, who belonged to the Louvestein faction, and were therefore opposed to the Stadtholder.

On the 2nd of May, Argyle sailed with three ships from the Zuyder Zee, and on the 6th reached Cairston, in the Orkneys. The news of his armament quickly reached Edinburgh, and when he landed his son in Lorn, to summon the Campbells, no one joined his standard but fishermen and mountaineers, who, to the number of about 1,800 men, assembled at Tarbet. The contentions

Dissensions
between
Argyle and
his followers.

of the leaders, which had continued from the first setting out of the expedition, were not at all allayed by the presence of immediate danger. Hume, Cochrane, and the

others, were jealous of entrusting Argyle alone with authority; the earl wished to make a stand in his own Highlands; the others were for marching into the Lowlands; and at last the army divided.

Argyle and Rumbold remained; but Cochrane and Hume sailed to Greenock, where they met with no reception, for Argyle was not popular with the Covenanters and the Cameronians, because he had formerly assisted the government against them. Cochrane,

therefore, returned to Bute, where he found Argyle preparing to attack Inverary, the ancient seat of the Mac-Callum Mores. But again contentions arose, and the earl at last agreed to march into

He marches
unwillingly
into the
Lowlands. the Lowlands, instead of securing a base of operations in his own districts. He crossed the Leven, near Dumbarton,

intending to push on to Glasgow; but he was surrounded by a superior force, under Athol and Gordon. After many misfortunes his followers dispersed, and he was ultimately taken, with a single companion, at Inchinnan ford, on the river Cart.

and is
taken and
executed. The same humiliations were inflicted upon him as were inflicted upon Montrose, and it was determined to execute

him without any further trial, under the disgraceful sentence which had condemned him to death in 1681. In these last hours of his misery, Argyle showed all the innate nobleness of his character. He refused to criminate any of his friends, even under the threats of torture; he made no supplications for mercy, but prepared himself for the scaffold with the proud conscientiousness that he fell in a good cause, and with the calm fortitude of an undoubting faith. He was executed on the 30th of June; Rumbold underwent the same fate a few days before, and Ayloffie, the other Englishman who accompanied the expedition, was taken to London and there executed. The vengeance of the conquerors

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was mercilessly wreaked on the people of Argyleshire. The clans of Athol, Argyle's hereditary enemy, were let loose upon the people; the country for 30 miles round Inverary was wasted; many were hanged; many more were horribly mutilated; and more than 300 men and women were sent to the plantations.*

6. **Monmouth's Rebellion.** **The Battle of Sedgemoor.** Monmouth sailed from the Texel on the 30th of May, with one large frigate and two small tenders, and accompanied by about eighty followers. On the 11th of June, this small force appeared off the port of Lyme, in Dorsetshire, and ran into a creek five miles to the eastward, where the leaders of the expedition landed. They were Monmouth, Grey, Fletcher, Ferguson, Wade, and Buyse, a German. That night the duke set up his standard in the market place of Lyme, and his Declaration was read from the market cross. The latter pronounced James a usurper; attributed to him the burning of London, the murder of Godfrey and Essex, and the poisoning of the late King. This libellous document was drawn up by Ferguson, the minister, Monmouth's evil angel; it further declared that no treaty should be made with James, who was a usurper, murderer, and tyrant, and that the sword should never be sheathed till he had been brought to condign punishment.

Monmouth's
Declaration.

The effect of this declaration, on the west, was great. The yeomen, the tradesmen, the peasants, and the artisans, all flocked to the Protestant standard of the duke, who was no stranger to those districts, as he had made a grand progress through them only five years before, and had been received everywhere with ceremony and applause. But the gentry and clergy were all Tories, and none of them joined the rebels; and a royalist force, consisting of the trainbands, was collecting at Bridport. At the head of 3,000 men, Monmouth marched from Lyme, and attacked this force; next day (June 15) he defeated the Devonshire militia, under the Duke of Albemarle, at Axminster. Had he advanced to Exeter, he might have taken that city without a blow; but he deemed it prudent to put his recruits under further drill, before they were employed in any hazardous service. He therefore marched to Taunton, which had long been conspicuous for its resolute adherence to the old spirit of Puritanism. The population went out by hundreds to meet him, every man wearing the green bough, Monmouth's badge, in his hat; and the chief ladies presented him with banners, which they had worked with

Only the
common
people
joined him

Reception
at Taunton.

* Macaulay, II., 128-147.

their own hands. Flattered by this reception, he proclaimed himself King; and immediately issued proclamations, declaring the two houses of parliament seditious assemblies, and offering a price for the head of James. The government, meanwhile, was actively preparing to suppress this formidable rising; Monmouth was attainted, and a reward was promised for his apprehension. The Commons made a special grant of £400,000, and a bill would have been passed in favour of the King's right, had not James adjourned the parliament (July 2nd).

About 6,000 men had now joined Monmouth, and had he possessed arms sufficient, this force would have doubled. But most of them were only furnished with scythes, fixed on upright handles; and the cavalry, about 1,000 in number, under Lord Grey, were chiefly mounted on large colts, such as were then bred in great herds on the marshes of Somersetshire, for the purpose of supplying London with draught horses. From Bridgewater the insurgents marched to Glastonbury, and thence to Shepton Mallet, intending to attack Bristol on the north side. But at Keynsham a troop of the Life Guards surprised the rebel horse; and Monmouth, after vainly summoning Bath, fell back to Frome, where he first became acquainted with the fate of Argyle (June 27th). The royal forces, under Lord Feversham, were now fast surrounding him; he became irresolute, and for a moment thought of secretly escaping to the continent. At this juncture, he learned that the

rustics of the marshes near Axbridge had assembled in arms at Bridgewater; this determined him to return thither, closely followed by Feversham, who encamped on Sedgemoor, three miles from Bridgewater, on the 5th of July.

The royal cavalry lay at Weston Zoyland, Feversham's head quarters; the Wiltshire militia, under the Earl of Pembroke, were quartered at Middlezoy; and the regular infantry at Chedzoy. On the west of the moor flowed the Parret; and the front of the royal army was covered by a great drain, or cut, called the Old Bussex Rhine, which was filled by the recent heavy rains. It was impossible to traverse the morass without the aid of guides, for it was cut up by drains, or rhines, in all parts. Guides, however, promised

to lead the insurgents safely across, and Monmouth resolved upon a night attack. About one in the morning (July 6th), he reached the edge of the moor by a circuitous road, now called the War Lane, near six miles in length. But between him and the enemy there lay three broad rhines, of one of which, the Bussex Rhine, he was entirely ignorant. In the thick fog and

Character of
his army.

He joins a
rising
of the
peasantry
at Bridge-
water.

The battle
of
Sedgemoor.

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mist which hung over the morass, his men got into some confusion, and a pistol accidentally went off. This instantly alarmed the royal guards. Lord Grey, with his horse, pushed forward to burst into the royal camp without delay; but his progress was unexpectedly arrested by the Bussex Rhine, and the King's foot, hastily forming on the opposite side, sent a few volleys into his ranks, which confused and ultimately dispersed them. A few minutes after this, Monmouth came up with his infantry, and was startled by finding that a broad and deep trench lay between him and the camp which he had hoped to surprise. It was now light; the King's forces had come up from their several quarters, and formed in order of battle; the infantry, under Churchill, crossed the ditch; the Life Guards and the Blues attacked the insurgents' right flank, and Monmouth, seeing that all was lost, fled from the field. His foot made a gallant stand. Those Somersetshire clowns, with their scythes and the butt ends of their muskets, faced the royal horse like old soldiers; they fought till their powder and ball were spent; the cry went through their ranks, "Ammunition! For God's sake, ammunition!" but no ammunition was at hand; and the King's artillery came up and broke them at last. In a few minutes their rout was complete, and more than a thousand of them lay dead on the field. The Royalists lost three hundred in killed and wounded.*

7. *Monmouth's Flight, Capture, and Execution.* Before six o'clock that morning, Monmouth was twenty miles from the field of battle, hastening towards the Bristol Channel, with the intention of escaping into Wales. In the Mendip Hills, he and his companions, Grey and Buyse, changed their attire, and turned towards the New Forest, in the hope of procuring, on the Hampshire coast, some conveyance beyond the sea. On Cranbourne Chase, they let loose their horses, and proceeded on foot. But escape was now impossible; parties of militia were on the look-out on every side, and, early on the morning of the 7th, Grey was taken near Ringwood. Monmouth and Buyse had just time to burst through a hedge, and conceal themselves in some fields, affording the shelter of standing crops, or overgrown with fern or brambles. But they had been seen by a woman, who gave information, the soldiers formed in a circle round the spot, and others went in and beat the enclosures. For the remainder of the day the fugitives eluded the search, but at five o'clock next morning Buyse was taken, and two hours afterwards,

Gallantry
of the
men of
Somerset.

Monmouth's
forlorn
condition.

* Macaulay, II., 149-194.

Monmouth himself was discovered lying in a ditch, covered with fern. He was dressed in the garb of a shepherd; a few raw peas, gathered in the rage of hunger, were found in his pocket, together with his George, a purse of gold, an album, and some trinkets. The field in which he was captured is still called Monmouth's Close, and is six miles from Ringwood.

The real character of this popular favourite was now displayed. He wrote an abject letter to James, expressive of remorse for the wrongs he had done him; attributing the blame to the counsels of false friends, and soliciting a personal interview, as he had that to reveal which he could not commit to paper, and would secure to the King a long and happy reign. He also wrote in the same strain to Rochester and the Queen-Dowager. When he arrived in London (July 13th), the King, therefore, sent for him to Whitehall, in the expectation that he would make the revelation. But the unhappy prince only craved abjectly for life, which James, who never forgave, inhumanly refused, contrary to the practice of civilized nations, when their monarchs deign to see a prisoner. When Monmouth saw that there was no hope for him on this side of the grave, he recovered his courage. He had two interviews with his wife, whom he received coldly, for he had lived with Lady Henrietta Wentworth for the last two years. In consequence of his refusal to express his contrition for this immorality, and to give satisfactory replies to their questions on passive obedience and other points, Turner and Ken, who attended him in his last moments, refused him the sacrament. His death was a horrible one, owing to the unskilfulness of the executioner (July 15th). Lady Wentworth, who cherished his memory with idolatrous fondness, died of a broken heart a few months afterwards. The people of that generation also affectionately remembered him; articles of apparel which he had worn, were treasured up as relics by those who had fought for him: it was a popular belief that he was still living, and several impostors arose in consequence; and even so late as the reign of George III., Voltaire thought it necessary gravely to confute the hypothesis that the Man in the Iron Mask was the Duke of Monmouth. To this day, also, the inhabitants of some parts of the west of England, when any bill affecting their interests is before the House of Lords, think themselves entitled to claim the help of the Duke of Buccleuch, the descendant of him for whom their ancestors bled.*

His abject character.

James never forgave.

Monmouth's connection with Lady Wentworth.

His memory held in reverence.

* Macaulay, II., 208-210.

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8. **The Bloody Assize.** The rebellious districts, in the meantime, were enduring all that a ferocious soldiery could inflict. Martial law was executed upon the prisoners; Colonel Kirke, a rough and brutal soldier from Tangiers, was commissioned by Feversham to superintend the brutal work, and the manner in which he performed his task endeared him to the King. This man went from town to town with cart loads of wounded rebels, whose gashes were not allowed to be dressed, and accompanied by droves of prisoners on foot, chained two and two. Some of them were hanged at every town they came to, without trial: while Kirke and his drunken officers were carousing at the White Hart, in Taunton, a prisoner was hanged up for their merriment at every toast; and in the week which followed the battle, not less than 100 captives were put to death.*

Atrocities
of Kirke's
"Lambe."

Yet even all this butchery did not satisfy James, who appointed a commission, consisting of Jeffreys and four other judges, to effect a rapid gaol delivery in the rebellious districts, and promised Jeffreys the great seal if he performed the work vigorously. A strong body of troops was placed at his command, and this circumstance induced the King and his courtiers to call his progress during the circuit "Jeffreys's campaign."

"Jeffreys's
campaign."

The commission opened at Winchester, where Alice Lisle, the widow of Lord Lisle, one of Oliver's peers, and also one of the regicides, was the first victim. Her offence was, that she had sheltered two of the rebels from the King's officers, knowing them to be rebels. She was well known for her kindness in this way, and had aforetime befriended Royalists in like manner; but James was more bitter against those who concealed the disaffected than against the disaffected themselves; equally so was his instrument the chief justice. Lady Alice was convicted, although the men she had concealed had not yet been tried, or convicted of any offence. Her furious judge, after assailing her with horrible curses and blasphemies, sentenced her to be burnt alive that very afternoon. Such an excess of barbarity moved the pity and indignation even of the most devoted friends of the crown, and Jeffreys was prevailed upon to postpone the execution for five days. During that time every exertion was made to obtain a pardon, but the inexorable King only consented to commute the sentence from burning to beheading. Lady Alice underwent her fate with a serene courage, and with a composure which her

Execution
of
Alice Lisle.

* Kirke's soldiers had served at Tangiers against the Moors, and bore upon their flag that Christian emblem—the Paschal Lamb. For this reason the western people called them, in bitter irony, *Kirke's Lambs*.

unrighteous judge must have resented, as the proof of his impotence to kill the soul. The day following, Jeffreys reached Dorchester (September 10th), where 74 persons were executed, out of 292 who received sentence of death. From Dorchester he proceeded to Exeter, where only 13 were hanged; Somersetshire, which had been the chief seat of the rebellion, was reserved for the last and

most fearful vengeance. In this county, 233 prisoners were, in a few days, hanged, drawn, and quartered. At every spot where two roads met, on every market-place, on the green of every village which had furnished Monmouth with soldiers, ironed corpses clattering in the wind, or heads and quarters stuck on poles, poisoned the air, and made the traveller sick with horror. In many parishes, the peasantry could not assemble in the house of God without seeing the ghastly face of a neighbour grinning at them over the porch. In the midst of this reign of terror, Jeffreys was all himself. His spirits rose higher and higher as the work went on. He laughed, shouted, joked, and swore in such a way, that many thought him drunk from morning to night. Gentlemen and noblemen of high consideration and stainless loyalty, who ventured to bring to his notice any extenuating circumstances, were almost sure to receive what he called, in the coarse dialect which he had learned in the pot-houses of Whitechapel, a lick with the rough side of his tongue; and he punished one nobleman by having a corpse suspended in chains at his park gate. In addition to these barbarous executions, 149 persons were transported, and 33 fined or whipped.

The horrible cruelties thus inflicted wholesale on the humbler classes were matched by the infamy of the great, who sought to make a profit out of the sale of those who were transported as slaves, or out of the fines of others. Jeffreys reaped £34,000 by the sale of pardons. The Queen asked for more than 100 of the rebels, and sold them at a profit of 1,000 guineas; and her maids of honour received £2,000 from the parents of the young girls, many of them mere children, who had embroidered Monmouth's banners.

But the executions were not confined to the west. In London many were put to death for the mere gratification of revenge; and one Elizabeth Gaunt, an aged and charitable lady of the Baptist persuasion, was burnt alive for having aided one Burton, a Rye-House conspirator, some years before, in escaping to Holland. Burton had returned, and fought at Sedgmoor, and was again sheltered in London by a poor barber, named Fernley.

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The villain gave evidence against both his benefactors, to save his own life, and Fernley was hanged.*

9. The King's Designs against the Test and Habeas Corpus Acts. James, now triumphant over his enemies, with an obsequious parliament, a church which was louder than ever in professions of attachment, judges who were his tools, corporations which were filled with his creatures, and a large revenue, resolved upon accomplishing the three things on which he had set his heart—the establishment of a standing army, the repeal of the Test Act, and the repeal of the Habeas Corpus Act. Happily for the nation, these were the only three things which the parliament were pertinaciously determined to refuse. In the late rebellion, James had raised the army to 14,000 men, and had placed in it Roman Catholic officers, whom he determined to retain in command. Halifax and Rochester opposed his design, for which the former was dismissed from the council, and the latter admonished and deprived of his former influence. The sensation which this proceeding caused in England and on the continent, where Halifax was well known to be the opponent of French influence at the English court, was very considerable; the Tories began to hold Whiggish language; the prelates even spoke of loyalty having its limits; Churchill, even Kirke, and many officers, swore to stand by the Protestant religion; and rumours were everywhere prevalent that the King, in proposing to repeal the two acts, cherished designs against the liberties and religion of the country.

The King's three chief objects.

Halifax dismissed.

By a strange fatality, it happened that while the nation was thus agitated with strong emotions, Louis XIV. revoked the edict of Nantes (October 12), under which the Huguenots had lived undisturbed in the exercise of their religion for nearly a century. The military persecutions which ensued in the towns of Languedoc, Dauphiné, Provence, and Béarn, drove 50,000 families from France, some of whom engaged in the service of the Prince of Orange, while others inflamed Europe for the next thirty years by the pamphlets they published against the French government. A more peaceful class erected silk factories in the east of London, and taught the English to make the stuffs and hats of which the French had hitherto enjoyed a monopoly; and another body planted the first vines in the neighbourhood of the Cape of Good Hope. Nothing could have been more unwelcome to James than this persecution. He deemed

Revocation of the edict of Nantes.

* Macaulay, II., 248.

it prudent not to forbid his subjects sheltering and supporting the refugees, and he publicly expressed his abhorrence of the Revocation as unchristian and impolitic. But in a few months it became clear that all this compassion was feigned, for the purpose of cajoling his parliament; that he regarded the refugees with mortal hatred; and that he regretted nothing so much as his own inability to do what Louis had done.*

10. **The Parliament Resists him, and is Prorogued.** Parliament met on the 9th of November, and James boldly declared, in his speech at the opening, that, because the militia could not be depended upon, as was shown in the late rebellion, he had equipped a good and well disciplined force, officered by men who, possessing his confidence, he did not intend to remove, although their appointment was contrary to the Test Act. Such a plain declaration that he had broken the laws which the nation regarded as the chief safeguards of liberty and religion, and that he meant to persist in breaking them, was more than could be borne even by that House of Commons. The latter refused to grant supplies before considering the King's address; they intimated to James that he had committed an illegal act; and instead of granting £1,200,000, which the court demanded, they only granted a supply of £700,000. When they presented their address, the King replied to it with a cold and sullen reprimand, which at first overawed them. But the spirit of opposition revived in a few hours, and Coke, member for Derby, exclaimed, "I hope that we are all Englishmen, and that we shall not be frightened from our duty by a few high words." For which he was committed to the Tower, and the house adjourned in an uproar. Next day (November 19th) the Lords displayed a greater spirit of indignation; Halifax, Compton, Bishop of London, and Lord Mordaunt, afterwards the famous Earl of Peterborough, boldly attacked the government; and not even James's presence in the house encouraged his ministers to reply, or protected the brutal Jeffreys, now lord chancellor, from the indignation of the peers. Parliament was therefore prorogued to the 20th of February, 1686, and James secretly resolved to accomplish, by his dispensing power, that object which he could not effect with the sanction of parliament.†

James declares his intentions to the parliament.

The Commons refuse to grant supplies.

Bold spirit of the Lords.

Soon after the prorogation, John Hampden and others were, by

* Macaulay, II., 271; Carrel, 294.

† Macaulay, II., 280-287; Lingard, XIII., 62.

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the treachery of Grey, whom James pardoned in return, condemned to pay heavy fines for their participation in the Rye-House plot.* Lord Delamere, for abetting the western rebellion, was also tried before the court of the lord high steward, the bill against him not being found till after the prorogation.† But the lords triers acquitted him. James was greatly enraged at this acquittal; but the public rejoiced. The reign of terror was over, and the widow of Russell, in an affecting letter to a friend, expressed the general sentiment when she wrote, "I do bless God that he has caused some stop to be put to the shedding of blood in this poor land." As the death of Stafford had marked the close of the prescription which arose out of the Popish Plot, so the acquittal of Delamere marked the close of another, in which the crimes which had disgraced the stormy tribuneship of Shaftesbury, had been fearfully expiated by the blood of tenfold more Protestants than Papists.‡

Acquittal
of Lord
Delamere.

SECTION II.—FROM THE SUPPRESSION OF MONMOUTH'S REBELLION TO THE DISMISSAL OF THE EARL OF ROCHESTER. 1686.

11. *The Alliance with France Renewed.* James united to a bigoted and arbitrary disposition an intense egotism, which led him to refer every action to himself, and to absorb in his own person all the functions and powers of the state. Jealous, as he knew the people were, of popery, and opposed, as he knew the parliament was, to any extension of the prerogative, he proceeded with a blind fatality to govern despotically, and force an obnoxious creed upon the nation. Clarendon and Rochester, who were steadfast in their adherence to Protestantism, were coldly treated; and Sunderland, who had embraced Catholicism, became his chief adviser, together with Father Petre, the Jesuit. The council thus became divided. With the Hydes were Ormond, lord lieutenant of Ireland; Queensbury, governor of Scotland; Middleton and Preston, managers of the House of

Two parties
in the
privy
council.

* See chapter V., par. 60.

† If the bill against Delamere had been found during the session, he could only have been tried in the House of Lords. A bill against Lord Stamford had been so found, but as the Lords were not sitting, he was released. Delamere, however, was in the power of the court.

‡ Macaulay, II., 295.

Commons, and others. With Sunderland and the Jesuits were Talbot, Earl of Tyrconnel; Jermyn, Lord Dover; Castlemaine, and other Roman Catholic adventurers of broken fortune and tainted reputation. Under the guidance of the former, James had, in the beginning of his reign, renewed the Triple Alliance and other defensive treaties with the Dutch; but he now placed himself in communication with Louis, from whom Sunderland received an enormous pension. The treaty of Dover was renewed;

and the contributions which James had authorised to be made for the French refugees were placed under such restraints, that unless the Huguenots, who were Calvinists, conformed to the English church by partaking of the sacrament according to its ritual, they could not receive any portion of the funds. This was, says Macaulay, a greater outrage than the edict of Nantes: for Louis oppressed the Huguenots in the hope of bringing them over from a damnable heresy to the true church; whereas James commanded them to be starved unless they apostatised from one damnable heresy to another.* Over-

tures were also made to Rome, and Castlemaine was despatched thither on a special embassy; but Innocent XI. was opposed to the Jesuits and the French King, and he gave no welcome to the new emissary.

12. The Dispensing Power confirmed by the Judges. An attempt was next successfully made to establish the dispensing power by a verdict of the judges. In the late reign, parliament had expressly declared the dispensation of statutes, imposing penalties and tests upon Roman Catholics, illegal, and Charles had cancelled the Indulgence which had produced this declaration, and solemnly assured the houses that it should never be drawn into a precedent. James felt this difficulty, and he, therefore, sought not to do away with the Test Act by one sweep of the dispensing prerogative, but to obtain the acknowledgement of his right to grant exemptions to specified individuals. For this purpose, he first removed Finch, the solicitor-general, and those judges who expressed their opinions against his design. Having thus assured himself of a favourable decision, he caused an action to be brought against Sir Edward Hales, a Romish pervert, for having accepted the command of Dover Castle, and the colonelcy of a regiment, without first taking the sacrament, according to the Test Act. Hales's coachman was the pretended prosecutor; his action being made to recover the penalty of £500, which the

Trial of
Sir Edward
Hales.

* History, II., 335.

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Test Act granted to the informer. The cause was heard in the Court of King's Bench, before Herbert, lord chief justice. Hales pleaded a dispensation under the great seal, and Herbert gave judgment in his favour, on the ground that the King of England was a sovereign prince, and that the laws were his laws; whence it followed, that it was part of his prerogative to dispense with penal laws as he saw fit and necessary.* Eleven out of the twelve judges adhered to this decision, which it is by no means evident was against the law, because the dispensing power had, at all times, been claimed and exercised by the sovereign, and was admitted by the lawyers. But in matters of the common law, statutes prohibiting that which was *malum in se*, and cases which concerned the right or interest of a private person or corporation, were regarded as exceptions to this rule.† This prerogative, however, became intolerable, now that it was exercised against those statutes which had been provided for the security of the fundamental liberties and institutions of the country. Men argued, that if the Test Act, the great bulwark of the established church, could be rendered absolutely nugatory by the dispensing power, such power ought no longer to be entrusted to the crown, especially when the sovereign was not a Protestant. The assertion, moreover, in an open court of justice, that the King's inseparable and sovereign prerogative in matters of government could not be taken or restrained by statute, made the co-existence of an hereditary line, claiming such a prerogative, incompatible with the security or probable duration of the liberties of the people. This incompatibility was the true basis of the Revolution of 1688.‡

A decision
in favour
of the
dispensing
power.

Its legality.

The true
basis of the
Revolution.

13. Revival of the High Commission Court. Within a month after this decision had been pronounced, four Roman Catholic lords, Powys, Dover, Bellasyse, and Arundel, were sworn of the privy council; Roman Catholics were empowered to hold ecclesiastical preferment; Obadiah Walker, the Roman Catholic master of University College, Oxford, was confirmed in his office; and John Massey, another papist, was appointed dean of Christchurch. It soon became sufficiently manifest that James intended to destroy the Anglican church. One step, however, remained to be taken—the creation of a Court of Ecclesiastical Commission. The King had directed the clergy not to preach upon controversial doctrines; but while they were

Roman
Catholics
in the
council
and the
universities

* Hallam, II., 227; Carrel, 212.

† Hallam, II., 225-226.

‡ Ibid, II., 228.

thus prohibited from exposing the errors of Rome, the King's printer, in violation of numerous statutes, issued popish books and tracts with the royal licence. The clergy, however, refused to obey the King's decree, and Dr. Sharp, dean of Norwich, and rector of St. Giles's in the Fields, having preached a sermon, in which he severely animadverted upon the recent per-
The Bishop of London refuses to suspend Dr. Sharp. versions to Rome, Compton, Bishop of London, was ordered to suspend him. The prelate declined to do so, and his disobedience led to the establishment of the new commission.

The High Commission Court of Elizabeth had been altogether taken away by the 17 Charles I., which went on to provide that no new court should be erected with the like power, jurisdiction, and authority. But this act had been repealed after the Restoration, with the exception, however, of that part which related to the High Commission, the Archidiaconal Courts, the Consistory Court, the Court of Arches, the Court of Peculiars, and the Court of Delegates; those courts, in short, in which the King's *ordinary* jurisdiction and supremacy were exercised, alone being revived. Yet the commission issued by James followed very nearly the words of the act of Elizabeth, which had created the original and *extraordinary* court, and the oath *ex officio*. Jeffreys was placed at the head of it; the Bishops of Durham and Rochester; Sunderland, Rochester, and Chief Justice Herbert were joined with him; Sancroft, the primate, was commissioned, but he refused to act.

Compton was called before this illegal tribunal to answer for his contempt, and suspended from his spiritual functions (September, 1686). But James did not dare to seize his revenues, for it was known that in that case the bishop would have put himself under the protection of the common law, and Herbert himself declared that at common law judgment must be given against the crown.*

14. The King openly encourages Popery. Many occurrences of minor interest now separated James still farther from that high church party to whom he was indebted for his crown. He threw open the old chapel at St. James's, which had been closed for a considerable period; he opened another chapel at Whitehall with great solemnity; the Benedictines, Carmelites, Franciscans, and Jesuits established themselves in different parts of London; and the latter opened a school for secular instruction, which was soon attended by 400 scholars, the children of parents of all denominations. The dread of proselytism which the establishment of this and other Jesuit schools excited led to the institution of those charity-schools throughout the country, to which popular education was almost wholly confined during the eighteenth century. In consequence of these

The Bishop of London suspended.

Jesuit schools established

Origin of charity schools.

* Macaulay, II., 353.

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novelties, which were so many violations of the law, disturbances took place in London, Bristol, Coventry, and all the towns where the Roman Catholic ritual was celebrated. Even the army of 16,000 men encamped on Hounslow Heath, instead of serving as a terror to the Londoners, was fast imbibing the opinions of the people, and quarrels took place between the Protestant and Popish soldiers. A tract, written by the Rev. Samuel Johnson, chaplain to the late Lord Russell, exhorting the troops to use their arms in defence of the Bible, of the Great Charter, and the Petition of Right, was actively circulated through the ranks; but the writer was condemned to stand thrice in the pillory, to be whipped from Tyburn to Newgate, and to pay a fine. While this defender of the church and the laws was thus being scourged like a dog, popish scribblers daily insulted the church and violated the laws with impunity (December, 1686).

Prosecution
of J. Johnson
for
inciting
the soldiers
to mutiny.

Johnson found little favour, however, with the clergy, because they still clung to the doctrine of non-resistance, and he had attempted to justify rebellion. But they did not hesitate to defend their religion with the weapons of controversy, and the presses of London, Oxford, and Cambridge, never ceased to issue publications written by Sherlock, Tillotson, Stillingfleet, Prideaux, and other veteran controversial writers. It was out of the power of the government to silence these champions of Protestantism, because the act which had revived the censorship of the press contained a proviso in favour of the two Universities, and authorised the publication of theological works licensed by the Archbishop of Canterbury.*

The clergy
publish
tracts
against
popery.

15. **Scotland placed under a Roman Catholic Administration.** In the meantime, James was endeavouring to proselytise in Scotland, where the Earl of Perth, the chancellor, his brother Melford, and Stuart, Earl of Murray, had all declared themselves Roman Catholics, in order to deprive the Duke of Queensberry, the lord treasurer, of his authority. Queensberry was connected with the Earl of Rochester, and, like him, had now to endure a succession of insults, because he would not renounce his faith. The treasury was taken from him and put into commission; and his governorship of Edinburgh Castle was given to the Duke of Gordon, a Roman Catholic. James expected by these changes to bring about the total repeal of the Test Act when the Scottish parliament met, and at the same time to continue the persecution of the Covenanters.

James
proposes to
indulge the
Papists,
but to
persecute
the Cove-
nanters.

* Macaulay, II., 366.

But all that he could obtain from the council was, a resolution to grant indulgence to both the Roman Catholics and the Covenanters.

When the parliament met (April 29th, 1686), Queensberry was again affronted by his office of lord high commissioner, the greatest dignity to which a Scotch nobleman could aspire, being given to the renegade Murray. Parliament, however, was as determined in its

The Scots
parliament
refuses to
do this.

opposition to the King's designs as the council had been; even the *Lords of the Articles*, who were virtually nominated by James, proved refractory, and the draft of the act which

they drew up, after it was amended by the Estates, went no further than to grant the Roman Catholics the private exercise of their worship. James, highly indignant, then ordered the commissioner to prorogue the parliament (June 15th, 1686), and after a brief interval he wrote letters to the council, authorising the private exercise of the Romish worship, and admitting papists in crowds to offices and honours. To punish the towns, whose representatives had distinguished themselves by their opposition in the late session,

Scotch
charters
confiscated

the charters of all boroughs were confiscated, as they had been in England, and the right of filling up the chief municipal offices was usurped by the King. A Roman Catholic chapel was ordered to be fitted up in Holyrood, and the judges were directed to treat all laws against papists as null, on pain of the royal displeasure.*

16. *Tyrconnel's Proceedings in Ireland.* The duty of maintaining tranquillity between the two hostile races in Ireland had, for some years, been painfully but successfully exercised, by the vigilance and firmness of Ormond, the lord-lieutenant. But after Charles II. had put down the Whigs, he resolved to remove the chief officials in Ireland, because they had been appointed by the Commonwealth, and had derived their wealth and importance from its conquests. In their places he proposed to

Ormond
resigns the
government
of Ireland.

appoint natives of monarchical principles, and, therefore, Catholics; but as Ormond was too upright a man to be entrusted with such a task, it was intended to remove him, and appoint the Earl of Rochester as his successor. The death of Charles disturbed this arrangement, and the government of the island was placed in a board of lords justices. James had concurred

Tyrconnel
disbands
the Irish
militia.

in this scheme; he now determined to accomplish it; and his first step was to disband the militia, which consisted chiefly of English planters. Talbot, Earl of Tyrconnel, the commander-in-chief, strictly executed this order as respected

* Lingard, XIII., 86-92; Macaulay, III., 367-382.

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the English, but he suffered the natives to retain their weapons, and the result was that great numbers of the colonists, under the impulse of terror, disposed of their property and quitted the island.

At length the Earl of Clarendon arrived at Dublin as lord-lieutenant (January, 1686). James had furnished him with three instructions: the first was to remember that Ireland was a conquered country; the second, that Catholics were to be admitted to all offices and privileges equally with the

Clarendon
appointed
lord-
lieutenant

Protestants; and the third, that all men of dangerous principles, that is, Protestants and Whigs, were to be removed from the army.* Tyrconnel, however, was the real director of

Tyrconnel
the real
governor.

Irish affairs; and before many weeks had passed, the lord-lieutenant found himself surrounded by numerous

Roman Catholic officers and magistrates, who received their orders direct from London, instead of through him, as the King's representative. The English planters, now thoroughly alarmed, began to leave the island in greater numbers than before; and when Clarendon remonstrated to the King against his proceedings, and pointed to their results, James coldly replied that he regarded the majority of the colonists as his enemies (April, 1686), and he ordered that Roman Catholics should be admitted to further offices and privileges. In June, Tyrconnel returned to Dublin from London, and at once commenced the remodelling of the standing army. Every officer suspected of cherishing revolutionary principles was cashiered; and, under pretence of old age or deficient stature, every fourth man among the privates

He removes
all Protestants
from
the army.

was discharged. Orders were given to the new officers that no Protestant was to be enlisted; in a short time, more than 2,000 natives were introduced into the ranks; and it was confidently affirmed, that before Christmas not a man of English race would be left in the whole army. The greater number of the officers who were cashiered went over to Holland, and accepted commissions in the British regiments serving there, and they enjoyed, four years later, the pleasure of driving their successors before them, in ignominious rout, from the margin of the Boyne. Having thus remodelled the army, Tyrconnel returned to London, to urge upon the King the expediency of repealing the

He conspires
to make the
island
independent.

Act of Settlement, and removing the lord-lieutenant. His avowed object was to annihilate the English interest, and make the island entirely independent. But the English Roman Catholics, Powis, Dover, and Bellasyse, with whom James was in

* Lingard, XIII., 95.

the habit of taking counsel, were almost unanimous in favour of the Act of Settlement, and even James himself could not altogether forget that he was an Englishman and an English King.

17. **The Fall of the Hydes.** It was now plain that the influence of Clarendon and his brother with the King was gone, and that the real direction of affairs had passed to the popish cabal, of which Sunderland and Petre were the chief members. Rochester, terrified at the prospect of his removal and disgrace, consented at last to listen to the teaching of a Romish divine, and even promised to agree to any policy which the King might adopt. James demanded his entire conversion to Rome; a proposition to which the earl, base as he was, would not submit. He was, therefore,

Rochester
and
Clarendon
dismissed.

dismissed, with a pension of £4,000 a year. Clarendon fell with him; Tyrconnel was appointed lord-deputy of Ireland; Roman Catholics speedily filled every office; while 1,500 families of the English residents deserted the island, and accompanied Clarendon to England. The new lord-deputy soon recommenced his intrigues for rendering the country independent of England. He made secret overtures to Louis XIV. :

Tyrconnell
lord-deputy
of Ireland.

he introduced natives into the municipal corporations, and remodelled the charters of those which refused to submit; and having thus secured, as he thought, a majority of members who would repeal the *Act of Settlement*, and restore to the natives their property, he solicited the King's licence to call a parliament. But James was now thoroughly alarmed, and the parliament was not called.*

After the dismissal of Rochester, the treasury was put into commission, Lord Bellasyse being made first lord; The Jesuits in power. Arundel received the privy seal, and Dover had a seat at the board. In order that the finances might not be ruined by these incapable and inexperienced men, Godolphin was named a commissioner of the treasury, although he continued to be chamberlain to the Queen. It was evident, from these changes, that James had resolved to exclude from office all who were not Roman Catholics, or refused to be converted. From the dismissal of Rochester, therefore, we may date the decisive measures that were taken to counteract the King's intentions to depress the national church, and restore popery and absolute power.†

* Lingard, XIII., 98-99. These projects of Tyrconnell, and the character of himself and his master, were ridiculed in Wharton's ballad, "Lilli-burlero," which expressed the gratification felt by Irishmen at the approaching triumph of Popery and the Milesian race. It was also adapted to a spirited air by Purcell, published ten years before. See Percy's *Reliques*, II., 348.

† Macaulay, II., 417; Hallam, II., 230.

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SECTION III.—THE EVENTS WHICH LED IMMEDIATELY TO THE REVOLUTION.

18. Relations between James the Second and the Prince of Orange. The question of armed resistance to all these despotic proceedings of James had been constantly present to the minds of many Whigs, and they looked to the Prince of Orange for aid in any attempt which they might make against the government. These men held their secret consultations in "*The Recess*," in the Monastery of Lady Place, at Hurley, on the Berkshire side of the Thames. The wife of the Prince of Orange being the presumptive heir to the crown, and he himself being the King's nephew, it was clearly his interest, right, and bounden duty to watch over the internal politics of England ;* and he was, from the first, the legitimate and natural ally of the Whig party. Hitherto, his conduct had been merely defensive ; he avoided any direct rupture with his uncles, who treated him with little regard, and he had taken care not to implicate himself either in Shaftesbury's schemes or Monmouth's rebellion. Yet there existed many causes of dissension between the prince and his father-in-law, which it was the interest of the French monarch and the British exiles in Holland to foster and keep alive. One source of irritation lay in the maintenance by the States of six British regiments, some of which, when they were brought to England to resist Monmouth, were more disposed to fight for that pretender than for the legitimate sovereign. James, therefore, sought to remodel the force, by cashiering the officers, and appointing others on whom he could rely. The prince objected to this proceeding ; he carefully excluded all whom he suspected of attachment to the King or Popery, and readily gave commands to the Irish officers expelled by Tyrconnel.

The Whigs
hold secret
consultations.

Prudent
conduct of
the Prince
of Orange.

The
British
regiments
in Holland.

On the other hand, the Prince of Orange had far greater reason to complain of his uncle's policy, because it was fraught with so much danger to the rights of the Princess Mary. To preserve the religious fabric which James was labouring so hard to rear, the priests who surrounded the throne proposed to exclude Mary from the succession, and transfer it to her sister Anne, in the event of the latter conforming to

The Jesuits
propose to
exclude
Mary
from the
succession.

* Hallam, II., 231.

the Roman church. But when this project was placed before James, he indignantly rejected it (August, 1686). The expedient by which he hoped to give stability to his plans was, to persuade the Prince of Orange to pledge himself to support a measure for the abolition of the penal laws, and he sent Penn, the celebrated Quaker, and now one of his chief advisers, to lecture the prince on the principles of toleration. But Burnet, the historian, was then at the Hague, high in the favour of William, and his chief counsellor on English affairs. By his advice the prince replied that, hostile as he was to persecution, he would never consent to the repeal of the *Test Act*, because it was necessary for the preservation of the Protestant faith.*

19. Relations between the Prince of Orange and the Whigs and Tories. While the Prince of Orange was thus on no very good terms with James, his relations with English parties were not entirely satisfactory. He was offended with the Whigs because of their support of Monmouth's pretensions, and of their attempts to strip the executive of some powers which he considered necessary to its efficiency and dignity. His religious opinions, again, did not coincide with those of the Tories; they were Arminians and Prelatists; he was a Calvinist and Latitudinarian. Hence he was neither a Whig nor a Tory. Furthermore, he never became an Englishman; for although he saved England, he never loved her; all his patriotism was confined to Holland, and even this sentiment was subordinate to another feeling—hostility to France and Louis XIV. This one great passion explains the whole of his policy towards England. He sought to form a grand coalition in Europe against the common enemy; if England joined this coalition, it would be victorious; if she remained neutral, it would be powerless; if she opposed it, it would be utterly defeated. For this reason alone, England was important in his eyes; and to gain this object, he saw that it was essential there should exist in

Burnet, the
Prince's
English
secretary.

Differences
between
William
and the two
English
parties.

The sole
motive of
his English
policy.

* Burnet had enjoyed, for some years, a European reputation by his *History of the Reformation*, which had been received with loud applause by all Protestants, and had been felt by the Roman Catholics as a severe blow. The celebrated Bossuet, Bishop of Meaux, was engaged in replying to it; parliament had, during the excitement of the Popish Plot, honoured Burnet with its thanks, and exhorted him to continue his historical researches; he had lived on terms of intimacy with the chief statesmen of the time, and had attended Lord William Russell in his last hours. When James ascended the throne, Burnet retired to the continent, and, after travelling through Switzerland, Italy, and Germany, was invited by William to take up his residence at the Hague, in the summer of 1686. He rendered signal service to the prince at this time, by bringing about a good understanding between him and the Princess Mary, and inducing the latter to make a solemn promise to her husband, that in the event of her succeeding to the throne, he should bear away, and exercise the authority.—Macaulay, II., 437-438.

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England perfect harmony between the sovereign and the parliament. Which party should make concessions was to him a question of secondary importance. In the Popish Plot he advised the government to give way, though he disapproved of the proceedings of the Whigs; he advised the court to assent to the Exclusion Bill, when he saw that its refusal was likely to produce a civil war; he protected Monmouth to propitiate Charles, and he dismissed him to propitiate James, who, he at first thought, would join the coalition. But when Halifax was dismissed, and James openly announced his policy and renewed the alliance with France, then the prince and his father-in-law were separated completely and for ever. At the same time, the causes which had produced a coolness between William and the two great English parties, and especially the pretensions of Monmouth, disappeared; the Whigs looked to him as their party leader, and the Tories as the only deliverer of the church from popery. On the continent, his prospects were equally brightening. On the 29th of July, 1686, the famous league of Augsburg was formed, by which The League of Augsburg. the Emperor, the King of Spain in his capacity as Duke of Burgundy, the King of Sweden as Duke of Pomerania, the Elector of Bavaria, the Suabian, Bavarian, and Franconian circles, and some German princes, bound themselves ostensibly to maintain the peace of the empire, but in reality, to oppose the pretensions of France. Thus circumstances everywhere plainly showed, that in no long time, the Prince of Orange, who had formed the League, would again be the captain of a coalition against France, in which England would be included, because he had become the head of the English opposition.*

20. **The First Declaration of Indulgence.** The original purpose of James, in his domestic policy, had been to obtain for the Romish church, not only complete immunity from all disabilities, but, also, an ample share of ecclesiastical and academical endowments, and at the same time to enforce the laws against the Puritans. This policy had failed, because the church and the Cavaliers refused to share ascendancy with the church of Rome. James, therefore, now meditated a general union of all Nonconformists; Catholic and Protestant, against the established religion. He accordingly issued, in Scotland, by way of trial, a Declaration of Indulgence (February, 1687), granting to the Presbyterians, Quakers, and Roman Catholics the free exercise of their worship in houses and James seeks to unite all Nonconformists against the church.

* Macaulay, II., 438-452.

chapels, but not in field conventicles; for the Rigid Presbyterians were still to be suppressed with the utmost severity. The penal laws against Romanists were suspended at the same time.

While he waited to see what effect this edict would produce in England, James held private conferences called "*closetings*," with the chief functionaries and members of parliament, to exact from them a promise to support the repeal of the Test Act and the penal laws against Roman Catholics. The great majority of those who were thus consulted, expressed their determination to oppose the court on these measures; and Lords Derby, Thanet, Shrewsbury, Lumley, and Newport, Vice-Admiral Herbert, and others, readily resigned their respective employments and commands. The King, therefore, prorogued the parliament to November, and as the experiment in Scotland had now proved successful, he issued, on the 4th of April, the memorable Declaration of Indulgence, suspending the execution of all penal laws concerning religion, and freely pardoning all offences against them, in as full a manner as if each individual offender had been named. It also declared that the oaths of supremacy and allegiance, and the several tests enjoined by statutes in the late reign, should no longer be required of any one before his admission to offices of trust. Without pausing to question the legality of this measure, the four great bodies of Protestant dissenters, the Anabaptists, the Quakers, the Independents, and the Presbyterians, all presented addresses to the King, thanking him for the boon he had given them. But Howe and Baxter, the two great Nonconformist ministers, warned their brethren not to fall into the snare, and Halifax addressed them in his "Letter to a Dissenter," in which he exposed the inconsistency and hollowness of a liberty of conscience granted by the church of Rome. The great body of the Puritans, therefore, remained firm; and a common danger brought them nearer to that union with the church which the Stuarts, during four unhappy reigns, had done their best to render impracticable.

21. Movements of the English opposition after the Declaration of Indulgence. The Prince and Princess of Orange strongly objected to the policy which James had now adopted, because by usurping a prerogative which did not lawfully belong to him, he was endangering the rights of the crown.* From this moment

The Decla-
ration of
Indulgence

Baxter and
Howe warn
the dissent-
ers not to
trust the
King.

* See vindication of their conduct in Macaulay, II., 496-503.

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the Prince sought to unite, in one body, the numerous sections of the community which regarded him as their head; and he was assisted in this by many able and trusty coadjutors, especially Burnet and Dykevelt. James frequently remonstrated against the residence of Burnet at the Hague, and, after some time, he was removed; but the prince continued to consult him, and many of the sharpest, and most effective tracts which about that time appeared in London, were justly attributed to him. James was, therefore, more than ever enraged against Burnet; he caused proceedings to be instituted against him in Edinburgh, and secret attempts were made to kidnap him. But Burnet published a courageous answer to the charges which had been brought against him.

The Prince of Orange seeks to unite all parties against the King's policy.

Services of Burnet.

While Burnet thus laboured for the Revolution on the continent, Dykevelt, whom the States-General sent on an extraordinary mission to the English court, was not less usefully employed in London (February, 1687). He had frequent conferences with the chiefs of all the important sections of the nation; the Earl of Danby and Nottingham spoke to him the sense of the Tory, and Halifax that of the Moderate party; the Earl of Devonshire and Edward Russell, the nephew of the Earl of Bedford, assured him of the support of the Whigs; Bishop Compton undertook to manage the clergy, Admiral Herbert the navy, and Churchill the army. In June, Dykevelt returned to the Hague with letters from these men, and also from the Earls of Shrewsbury, Clarendon, Rochester, and Sunderland, Lord Lumley and others, containing expressions of attachment and offers of service, the true meaning of which they had authorised the bearer to explain.

Mission of Dykevelt.

This mission having succeeded so well, another agent named Zulestein was sent, and a regular correspondence was from this time established between the prince and his English supporters.

The publication of the letter of Fagel, the Pensionary, followed soon afterwards. It was addressed to Stewart, a Scottish lawyer, who had formerly been connected with Argyle's rebellion, but had latterly joined the government, and had written to the Pensionary, with whom he was intimate, exhorting him to use his influence in persuading the Prince and Princess of Orange to support their father's policy and the Declaration of Indulgence. Fagel gladly embraced the opportunity to reply that their highnesses were enemies to religious persecution, and were willing to concede to the English Catholics liberty of worship, but that they would never consent to the repeal of the Test or of any other act having for its object the safety of the Protestant Church; that laws which merely fixed the qualifications for office

Letter of Fagel, the Pensionary

could not be taxed with injustice, nor could that man be said to persecute who did not seek to punish the religious belief of one party, but only to preserve the religious establishments of the other.

This manifesto was translated into several languages, and circulated widely on the continent; 50,000 copies of the English version, carefully prepared by Burnet, were distributed throughout England. No state paper was ever more completely successful. The Protestants applauded William's firmness, which would not entrust Papists with any share in the government; and the Pope, the Emperor, and the Catholic princes, were pleased by his mildness and moderation, and by the hope that, under his government, no member of their church would be molested on account of religion.*

22. James interferes with the Privileges of the Universities. If any doubt had existed in the minds of the Dissenters as to the King's sincerity, in publishing the Declaration of Indulgence, it must soon have been dispelled by his freaks of arbitrary power immediately afterwards. It had been suggested to him that the introduction of a few Roman Catholics into the universities, to reside there on the same footing with Protestants, would have as beneficial an effect as it had had in Germany, in softening down, by the intercourse of social life, the antipathies which usually divide religious sects. This was the avowed, but there was another more secret motive—the hope of inducing men to profess themselves Catholics when they saw that university honours were accessible to the members of both communions.† On the 7th of February, 1687, the King sent a mandatory letter to Dr. Peachell, the vice-chancellor of the University of Cambridge, to admit Alban Francis, a Benedictine monk living in the neighbourhood, to the degree of Master of Arts, without exacting from him the usual oaths. But the authorities declined to obey the mandate, on which the King caused the vice-chancellor and the senate to be summoned before the new High Commission Court (April 21st). Peachell pleaded in his defence the statutes which required oaths from all who were admitted to a degree; but Jeffreys would hear of no defence, and he deprived Peachell of his office, and suspended him from the mastership of Magdalen College. Thus James violated the fellowships or freeholds of the universities, as openly as he had violated the statutes of the realm (May 7th).

James orders the University of Cambridge to admit a Benedictine monk without the oaths.

While this dispute was still pending, James engaged in a still

* Macaulay, II., 520-524; Lingard, XIII., 130-133.

† Lingard, XIII., 107.

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more unjust and violent contest with the University of Oxford, which had already accepted a papist Dean of Christchurch, and had suffered mass to be performed in two of its colleges. It had also asserted the King's prerogatives in the highest strains of the most abject flattery, and resistance, therefore, was never expected from it. On the death of Dr. Clarke, the president of Magdalen College, the fellows were ordered to elect Anthony Farmer, who was ineligible because he was a Roman Catholic, and was not a fellow of either Magdalen or New College, which was an essential qualification for the vacant office. He was, moreover, a man of notoriously immoral life. In the hope of obtaining some compromise, the fellows postponed the election till the 15th of April, the last day on which, by the constitution of the college, the election could take place. When that day came, the King insisted upon Farmer being elected; but the fellows firmly objected, and elected John Hough, a man of eminent virtue and prudence, who was duly admitted by the Bishop of Winchester, the visitor of the college. James then had the fellows cited before the High Commission Court (June 6th), which declared Hough's election void, but recommended the King to propose a more respectable candidate. Accordingly, he proposed Parker, Bishop of Oxford, who, though not an avowed papist, was disqualified because he had never been a fellow of either New College or Magdalen. But the fellows refused to proceed to another election, on the ground that there was no vacancy. The King, therefore, went to Oxford, and endeavoured to terrify them into obedience; but they were unmoved by the frowns of the sovereign. They were then handed over to Cartwright, Bishop of Chester, Wright, Chief Justice of King's Bench, and Jenner, a baron of the exchequer, members of the High Commission, and now appointed extraordinary visitors of the college (October 21st). These judges first annulled the election of Dr. Hough, then installed the Bishop of Oxford by proxy, and next placed three troops of cavalry in the president's lodgings. The fellows now consented to submit to the new president until the question should be decided in a competent court. But when they learnt that even this concession was unsatisfactory to the King, they withdrew it, and were then, one and all, ejected from the college, and declared incapable of holding any ecclesiastical preferment. The King's immediate object was soon after accomplished, for Parker dying, Gifford, a Roman Catholic bishop, was appointed his successor, and the college was turned into a Roman

His
interference
with
Magdalen
College,
Oxford.

He expels
the fellows
by an armed
force.

Catholic seminary, mass being said in the chapel, and none but Roman Catholics admitted to the fellowships. But so glaring an act of despotism was felt to the extremities of the kingdom; it excited the bitter resentment of the clergy, and all but the most bigoted saw that the ties which bound the church to the throne were so loosened, that one more violent strain would utterly break the union. A subscription was raised for the ejected fellows, to which the Princess of Orange gave £200.

23. The Board of Regulators. In the midst of this universal excitement, several letters from the Jesuits of Liege to those of Friburg were intercepted in Holland, and despatched to England by the refugees. They spoke with rapture of what the society was doing in England to remove education from the hands of the heretics; of the approaching elevation of Father Petre to the dignity of cardinal, and of Father Warner, rector of the Jesuit college at St. Omer, being about to be appointed to the post of confessor to the King. Other matters were mentioned, which showed what James and the Jesuits were plotting against the religion and liberty of the realm.* The court, in fact, had already become divided by the dissensions of the moderate Catholics and the Jesuits. The latter prevailed. The papal nuncio was publicly received by James at Windsor Castle (July 3rd, 1687), and Petre was admitted to the privy council, and named clerk of the closet (November, 1687). But the Pope steadily refused to grant him a cardinal's hat, for which James anxiously waited, before he conferred upon him the archbishopric of York. While these intrigues were at their height, the great news began to be whispered, that the Queen was with child (October). The zealots already confidently foretold the birth of a Prince of Wales, and as James was not very likely to live till his son should be of age to exercise the royal functions, the prospect of a regency began to occupy the attention of all parties. Now the law had made no provision for the case of a minority; the reigning sovereign was not competent to make any provision for such a case by will; the legislature alone could supply the defect. It was evident, therefore, that the Prince or Princess of Orange would be regent, for the parliament would never sanction the appointment of the Queen, a papist, as guardian of the realm and of the infant sovereign. James determined, therefore, to pack a parliament.

For this purpose he established a *board of "regulators,"* whose

Jesuit
letters
intercepted
on the
continent.

Reception
of the
papal
nuncio.

James
determines
to pack a
parliament

* Carrel, 234.

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duty it was to inspect the conduct of boroughs, to correct abuses where it was practicable, and, where not, by forfeiting their charters, to turn out such rotten members as infected the rest, and to revise the commissions of peace and lieutenancy (December 12th). Jeffreys was the only Protestant on this board, which sat at Whitehall, and by its sub-committees and agents made itself felt all over the kingdom. The lords lieutenants were directed to go down immediately into their respective counties, and (1) to make out lists of persons devoted to the King, and therefore fit to be appointed mayors and sheriffs, that the returning officers might be in the interests of the crown. (2) And to assemble their deputies and the magistrates, and put to each individual these three questions: If you are chosen to the next parliament, will you vote for the repeal of the Test Act and the penal laws? Will you give your aid to those candidates who engage to vote for that repeal? Will you support the declaration for liberty of conscience, by living peaceably, and like good Christians, with men of different religious principles? Those who refused to answer these questions in the affirmative were erased from the lists of justices and deputy-lieutenants, as well as from those of sheriffs and other officers. As soon as the questions got abroad, a skilful answer was drawn up and circulated throughout the kingdom, and generally adopted. It was to the following effect: "As a member of the House of Commons, should I have the honour of a seat there, I shall think it my duty carefully to weigh such reasons as may be adduced in debate for and against a Bill of Indulgence, and then vote according to my conscientious conviction. As an elector, I shall give my support to candidates whose notions of the duty of a representative agree with my own. As a private man, it is my wish to live in peace and charity with everybody."*

Proceedings
of the
board of
regulators.

This endeavour to violate the rights of electors, and to take away the vested franchises of corporate boroughs, was the most capital delinquency of James's government, because it tended to preclude any reparation for the rest of his oppressions, and directly attacked the fundamental constitution of the state. But, like all the King's other measures, it displayed his utter inability to overthrow the national liberties. He selected, as regulators, incapable persons, who were also extremely disagreeable to the people; and, being both Catholics and Presbyterians, had no interests or tastes in common. The whole

The board
fails to
effect the
King's
object.

* Macaulay, III., 52-51.

effect produced by the regulators was, to place municipal power and trust in the hands of the Nonconformists, whose resentment of past oppression, hereditary attachment to popular principles of government, and inveterate abhorrence of popery, were not to be effaced by an unnatural coalition. The wiser part of the churchmen made secret overtures to their party, and, by assurances of a toleration, if not of a comprehension within the Anglican pale, won them over to a hearty concurrence in the great project that was then on foot.*

24. **The Second Declaration of Indulgence.** On the 27th of April, 1688, the King put forth a second Declaration of Indulgence, in which, after reciting the former declaration, he stated that it was his unalterable resolution to secure to the subjects of the English crown "freedom of conscience for ever," and to render merit, and not oaths, the qualification for office. He also proclaimed that he would employ none who were not prepared to concur in this design, in pursuance of which resolution he had already dismissed his disobedient servants; that he meant to hold a parliament in November, at the latest; and he exhorted his subjects to choose those representatives who would assist him. That this Declaration might be more generally known and obeyed, an order was sent to the several bishops from the council (May 4th).
The Declaration to be read in churches. enjoining that it should be read by the clergy in their respective churches, at the usual time of divine service; in London and the suburbs on the 20th and 27th of May, and, in the country, on the 3rd and 10th of June. This order was not, indeed, without precedent. In 1681, at the suggestion of Archbishop Sancroft, the declaration of Charles II. against the Whigs, and, subsequently, in 1683, his declaration respecting the Rye-House Plot, were read during the service, by order of the King.† But at those times the court was in favour with the church, and no man thought of disobeying an order which he approved. Now, however, the clergy, with scarcely an exception, regarded the Indulgence as a violation of the laws of the realm, as a breach of the plighted faith of the King, and as decidedly hostile to their interests. How to collect, in so short an interval, the opinions of the clergy throughout the country, or even of the bishops, was a matter of the greatest difficulty; for the means of communication were very imperfect; the
Constitution of the clergy. *Gazette*, in which the proclamation was published, was wholly under the control of the government; letters could

* Hallam, II., 239.

† Lingard, XIII., 141; Burnet's Own Times, III., 212.

1688

not be sent through the post-office without the certainty that they would be opened, if suspected, and stopped, if their contents were displeasing. A general opposition, therefore, was hardly to be expected, and it was felt that a partial opposition would be ruinous to individuals, because they would be summarily dealt with by the Ecclesiastical Commission, and of little advantage to the church and nation.

25. **The Bishops and Clergy Oppose the Declaration.** On the 12th, the archbishop gave a dinner to the leading clergymen in the capital, and, when those who had not been admitted into the secret were departed, Compton of London, Turner of Ely, White of Peterborough, and Dr. Tennison, rector of St. Martin's, remained in consultation with the metropolitan. By them it was resolved that the clergy could not read the Declaration, either in prudence or in conscience. Letters were forthwith sent by horsemen to the nearest country post towns, so as to escape the examination of the government officials at the head office in Lombard-street, addressed to the most respectable prelates of the province of Canterbury, entreating them to come up without delay to London, and strengthen the hands of their metropolitan at this conjuncture. Lloyd of St. Asaph, Ken of Bath and Wells, Lake of Chichester, and Trelawney of Bristol, obeyed the summons; and, on the 18th, a meeting of these and other prelates, and of Tillotson, Tennison, Stillingfleet, Patrick, Sherlock, and other eminent divines, was held at Lambeth. After long deliberation, a petition to the King, written by the archbishop himself, was agreed upon, and signed by him and six of his suffragans, viz., Lloyd, Turner, Lake, Ken, Trelawney, and White. The Bishop of London, being under suspension, did not sign. The petition prayed, in respectful language, that the clergy might be excused from reading the Declaration, not because they were wanting in duty to their sovereign, or in tenderness to the dissenters, but because it was founded on the dispensing power which had often been declared illegal in parliament; and, on that account, they could not, in prudence, honour, or conscience, be parties to the solemn publishing of an illegal Declaration in the house of God, and during the divine service. It was now late on Friday evening, and, on Sunday morning, the Declaration was to be read in the churches of London. It was, therefore, necessary that the petition should be presented to the King at once, and the six bishops immediately went to Whitehall, and were admitted to the royal

Meeting
of the
London
clergy.

Meeting of
prelates at
Lambeth.

They draw
up a
petition
against it.

closet, Sancroft not accompanying them, because he had long been forbidden the court. James had heard from his tool, Cartwright, Bishop of Chester, that the clergy were disposed to obey the royal mandate; he was, therefore, not prepared for the petition. When he had read it, he violently exclaimed, "This is a standard of rebellion." Three of the bishops passionately disclaimed the imputation, and Ken said, "We have two duties to perform; our duty to God, and our duty to your majesty. We honour you; but we fear God." On this, the King became more and more angry, and threatened them, at their peril, to disobey him by not publishing the Declaration. Then "God's will be done," replied Ken, and the bishops respectfully retired.

That very evening, the petition of the prelates was circulated through London. How it got abroad is still a mystery, for Sancroft declared that he knew of no copy except that which he himself had written, and which James had taken from the bishops and kept. The prevailing opinion was, that some person about the King had been indiscreet or treacherous. A short letter, written with great power of argument and language, and printed secretly, was at the same time largely circulated by the post, and by the common carriers, and a copy sent to every clergyman in the kingdom. It plainly pointed out the danger which those who refused to read the Declaration would incur, but much more plainly set forth the still greater danger which would result from submission to the King's mandate. It was believed to be the work of Halifax.*

26. Seven of the Bishops are sent to the Tower. On the Sunday following, the Declaration was read in four out of the hundred churches in London, and in these the congregations rose and withdrew as soon as the minister uttered the first words. When the following Sunday came, the same things took place, and the King was utterly perplexed. He knew not what course to take. After considerable hesitation, he resolved that the archbishop, and the six other petitioners, should be brought before the court of King's Bench, on a charge of seditious libel, where their conviction would be certain, because the judges and their officers were the tools of the court, and since the old charter of London had been forfeited, scarcely one prisoner whom the government was bent on bringing to punishment had been acquitted by a jury. On the 27th of May, the bishops were summoned to appear before the King in council on the following

which is
presented
to the
King.

The
petition is
published.

Reading
of the
Declaration.

* Macaulay, III., 88.

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8th of June. When they came into the royal presence, they acknowledged, after some demur, their respective signatures to the petition, and were then informed that they would have to answer for their offence in Westminster Hall, and that the King would accept their personal recognizances for their appearances. They replied that, being peers of the realm, they would give no other security than their word, on which they were committed to the Tower. To check the expression of popular feeling, and to prevent any attempt to rescue the prisoners, it had been thought prudent to convey them to the Tower by water. But it was known all over London that they were before the council, and a great multitude filled the courts of Whitehall, and all the neighbouring streets. When the bishops came forth under a guard, they passed through lines of weeping men and women, who prayed aloud for their safety, and knelt to ask their blessing; and, as they entered their barge, the river sparkled in the setting sun as the oars of thousands of boats dashed up its waters. All down the river, there arose from the lines of boats through which they passed, a shout of "God bless your lordships." The multitudes cheered them from the banks; on their landing, the officers and privates of the garrison bent their knees, and solicited their blessing; the guards would drink no other health than that of the bishops, and day by day, such numbers flocked to the Tower to visit them, that the King became thoroughly alarmed, and particularly when he learned that a deputation of ten Nonconformist ministers, the leaders of their party, had been amongst the visitors.*

The bishops
are called
before the
council.

Popular
demonstra-
tions in
their
favour.

27. They are brought before King's Bench. Two days after the imprisonment of the bishops in the Tower, the Prince of Wales was born (June 10th) at St. James's Palace, to the great joy of the King and the Jesuits, but to the dismay of the people at large, who believed the prince was supposititious, and that James had been guilty of an imposture. The Princess Anne, who was then at Bath, and the court of the Prince of Orange, shared in this belief, which it is now known was unfounded.

Birth of
the "Old
Pretender."

On the appointed day (June 15th), the seven bishops were brought before King's Bench, where they were called to plead, after the legal objections to the commitment had been overruled. They pleaded "not guilty," and that day fortnight (June 29th), was fixed for their trial. In the meantime, they were set at large on their own recognizances, the crown lawyers not requiring

* Macaulay, III., 72-127.

Twenty-one
peers ready
to bail the
bishops.

sureties, because they knew that Halifax had arranged that twenty-one temporal peers, of the highest consideration, should be ready to put in bail, three for each defendant; and such a manifestation of the feeling of the nobility would have been a great blow to the government. One of the most opulent dissenters of the city had also begged to have the honour of being surety for Ken. When the bishops left the court, the excitement of the people was greater than ever, for it was believed that they were wholly released, and the Dutch ambassador expected that an insurrection would break out before the day was over. The agitation spread all over the country.

Public
excitement.

The Presbyterians of Scotland sent letters of sympathy to the prelates; and the miners of Cornwall expressed their determination to rescue their countryman, Trelawney, of Bristol, in the old ballad, the burden of which is still remembered—

And shall Trelawney die?
There's twenty thousand underground
Will know the reason why.

Neither James nor his advisers could view this public excitement without some feelings of alarm. Even Jeffreys would gladly have retraced his steps, and Sunderland ventured to recommend concession. But James was fixed in his resolution. "I will go on," he said. "I have been only too indulgent. Indulgence ruined my father." The minister then openly professed himself what he had long been privately, a convert to Rome; but although the King boasted of this triumph, it gave Sunderland no more influence in restraining his master's infatuation.*

28. The Trial of the Seven Bishops. The scandalous apostacy of Sunderland, which soon became known in every coffee-house in London, considerably heightened the interest with which the nation looked forward to the day when the fate of the seven brave champions of the English church was to be decided. Great multitudes came up from the country to the metropolis. Westminster Hall was crowded with spectators; the Old and New Palace Yard, and all the neighbouring streets to a great distance, were thronged with people, who awaited the result of the trial with impatient anxiety. Thirty peers, the friends of the prelates, sat on the bench with the four judges of the court, Wright, who presided, Allibone, a papist, and Holloway and Powell. The counsel for the crown were Powis, the attorney-general, Williams, the solicitor-general, Shower, recorder of

The counsel
engaged.

* Macaulay, III., 104-108; Lingard, XIII., 150.

1683

London, and Serjeants Trinder and Baldock. The government requested Maynard, the celebrated lawyer of the Long Parliament, to render his services, but he refused. On the other side were arrayed almost all the eminent forensic talents of the age; Sawyer and Finch, whom James had lately dismissed from the posts of attorney and solicitor-general, Pemberton, formerly chief justice, Levinz, Pollexfen, Treby, and Somers. Sir Samuel Astry, the clerk of the crown, had done his best to pack a jury, but of the forty-eight whom he selected, the counsel for the bishops, by right, struck off twelve, and the crown lawyers also struck off the same number, and of the twenty-four which remained, the first twelve who answered to their names were to try the issue. The foreman was Sir Roger Langley, a baronet of old and honourable family, and with him were ^{The jury.} joined a knight and ten esquires, some of whom were Nonconformists. One was Michael Arnold, the King's brewer. The trial began at nine in the morning, and lasted till six in the evening. Every point was keenly and vehemently contested by the lawyers on each side; the audience listened with the utmost anxiety; and the turns of fortune were so sudden and amazing, that the multitude repeatedly passed in a single minute from anxiety to exultation, and back again from exultation to still deeper anxiety.*

The information charged the prisoners with having written, or published, in the county of Middlesex, a false, malicious, and seditious libel. The attorney-general first tried to prove the writing, but the witnesses they called were so unwilling to answer, that two of the judges ^{The information against them.} decided there was no evidence to go to the jury. Now, the bishops had confessed their signatures to the King, but not before James had given them a kind of assurance that their confession should not be used against them. The crown counsel did not wish, for the King's sake, to produce evidence of this confession, because it would implicate the King on his implied promise; but, as they could not *prove the writing* by any other testimony, they now called Blathway, a clerk of the privy council, who, after a severe cross-examination from the opposing counsel, which the crown lawyers vainly tried to stop, gave a full account of all that had passed when the bishops presented their petition. *His evidence, therefore, proved the writing*, but this was not sufficient even yet; for *it was necessary to prove that the petition, or alleged libel, had been written in the county of Middlesex*. ^{The writing proved.} It was entirely out of the power of the crown lawyers to prove this, for there was full proof that Sancroft had written the petition at Lambeth, which was in Surrey; and that the bishops had signed the writing there before they set out for Whitehall, on the 18th of May. The whole case for the prosecution, therefore, broke down, and the audience, with great glee, expected a speedy acquittal. But the crown lawyers, changing their ground, undertook to prove *the publication of the libel*. ^{But not the place of writing.} The delivery of the petition

* Macaulay, III., 113.

to the King was a publication in law; but the difficulty was, how this delivery could be proved, for no one had been present at the audience which the King gave the bishops, and the King could not well be sworn. Many witnesses were called, but none of them could tell anything about the delivery.

How the publication was proved.

That the petition had been presented was fully admitted, but the question was, had the bishops accused presented the petition which was alleged to be the libel under trial. The chief justice at length began to charge the jury, and an acquittal was fully expected, when Finch imprudently requested permission to make some additional observations. After some delay, his brother counsel prevailed upon him to sit down, and allow the chief justice to proceed. But, in the meantime, Lord Sunderland had been sent for, and he swore that the bishops had informed him of their intention to present a petition to the King, that he had introduced them into the royal closet for that purpose, and that the King had afterwards shown him the petition which they had presented. This testimony fully proved the publication in Middlesex, but was the occasion of a more important victory to the bishops, for *the subject matter was now argued. Was it a false, malicious, and seditious libel?* Hitherto the matter in dispute had been, whether a fact, which everybody well knew to be true, could be proved according to technical rules of evidence; but now it was necessary to inquire into the limits of prerogative and liberty, into the right of the King to dispense with statutes, into the right of the subject to petition for the redress of grievances. The counsel for the bishops, in forcible arguments, proved that the bishops were perfectly right when they stated that the dispensing power was illegal; and Somers, who that day took the high position which he ever after maintained, as the great constitutional lawyer and statesman of his time, showed that the expressions which were used in the information to describe the offence imputed to the bishops, were altogether inappropriate. The paper was not *false*, because every fact which it set forth had been shown, from the journals of parliament, to be true; nor *malicious*, because it was drawn from the defendants by necessity, and offered to the sovereign with the most innocent intention; nor *seditious*, because it was presented in private; nor a *libel*, because it was a decent petition, such as, by the laws of England, as well as of every civilised state, even imperial Rome, a subject could with propriety present to the sovereign.

Was the petition a libel?

The judges charged the jury separately. Wright summed up that the petition was a libel; Justice Allibone held the same opinion. But Holloway and Powell differed from them, and the latter affirmed that the dispensing power, as then administered, was an encroachment of the prerogative, and if not repressed, would put the whole legislative authority in the King. The jury were locked up all night. At first, nine were for acquitting, and three for convicting. Two of the minority soon gave way; but the King's brewer obstinately refused to concur with the rest till six o'clock next morning. At ten the court again met, and the foreman delivered the verdict "Not Guilty." The shouts of applause which instantly arose from the benches and galleries of the court, were echoed in a moment by 10,000 persons

The verdict of acquittal

1685

who crowded the great hall; from the hall they passed to the streets and the river, and from London to every suburb. The King had that morning visited the camp on Hounslow Heath, and was dining with the general, Lord Feversham. Sunderland instantly sent a courier thither with the news. James was greatly disturbed, and exclaimed in French, "So much the worse for them." He left directly for London, and, as he was leaving the camp, the soldiers set up a great shout. The King, surprised, asked what the uproar meant. "Nothing," was the answer, ^{General rejoicing.} "the soldiers are only glad that the bishops are acquitted." "Do you call that nothing?" said the baffled tyrant; "so much the worse for them." That night London was illuminated; the Pope was burnt in effigy; and although those who took a chief part in these demonstrations were indicted, no grand jury would find a bill against them. In all the great towns the same enthusiastic rejoicings were made; all parties and sects united in one compact mass against the government, and forgot, for the time, their hatred and party spirit; and, for the first and last time in our history, the love of the church, and the love of freedom united them in perfect harmony.*

29. The Prince of Orange invited to invade England. During these proceedings Admiral Russell went over to the Hague, to urge the Prince of Orange to a bold interference with English affairs (May, 1688). But the prince refused to do anything, except he received a formal and direct invitation from the national leaders. A meeting was accordingly held at the house of the Earl of Shrewsbury, on the same day that the Bishops ^{The invitation to the Prince of Orange.} were acquitted, and the invitation was drawn up and subscribed in cipher by the Earls of Devonshire and Danby, the Bishop of London, Lord Lumley, Admiral Russell, and Sidney, afterwards Earl of Romney. The document assured the prince that nineteen-twentieths of the English people were desirous of a change, and would willingly effect it, if they were certain of such help from abroad as would ensure success; that if he landed with a force, tens of thousands would hasten to his standard; and that the present was a favourable opportunity, when the army and the navy shared in the general discontent. This document was carried to Holland by Admiral Herbert, in the disguise of a sailor, and, when the Prince of Orange received it, he at once resolved to act upon it. But many serious difficulties stood in his way; the appearance of a foreign army in England might not be welcomed

* Macaulay, III., 109-130; See also Burnet's Own Times, III., 226.

The difficulties which threatened William's enterprise. by the people; and while a defeat would be fatal, a bloody victory over English regiments would cruelly wound the national pride. The greatest difficulties arose from the constitution of the Batavian republic. The States-General had no power, except with the consent of the Provincial States, which again had no authority without the consent of every municipality which had a share in the representation. Ever since the Peace of Nimeguen, the municipality of Amsterdam had opposed itself to the Prince of Orange, and kept up a friendly correspondence with Louis XIV.; and as, without its sanction, no warlike expedition could be undertaken, the enterprise against England seemed an impossibility. Another difficulty was, the hostility with which the prince's Roman Catholic allies might regard an expedition made wholly for the benefit of Protestantism. The removal of these obstacles was a task too arduous for such a statesman even as the Prince of Orange; but James and Louis soon accomplished it for him by their infatuation and perverseness.*

30. How James aided the Prince of Orange. To revenge himself for the acquittal of the bishops, James ordered all chancellors of dioceses and all archdeacons to report to the High Commission Court the names of all clergymen who had omitted to read the Declaration. But those officers refused to furnish any information on the subject, and when the court met to receive the returns, instead thereof, a paper was given in, containing the resignation of Sprat, Bishop of Rochester. one of the members of the commission, on the ground that he could not conscientiously condemn those of his brethren who had considered it their duty not to read the Declaration. As Sprat had hitherto unscrupulously supported the King's policy, and was a man of known laxity of principle, his defection was peculiarly alarming to the court; and the commission immediately broke up in confusion.† While the clergy thus showed themselves refractory, the gentry took every occasion, especially at the assizes, of showing disrespect to the royal authority and the judicial office.

But it was in the army that disaffection assumed its most serious aspect. The Papist soldiers suddenly became objects of abuse to the Protestant soldiers, and toasts, threatening to the Papists, were vehemently applauded in the noisy festivals held in honour of Protestant anniversaries. Early in August, therefore, the camp at Hounslow Heath was broken up

* Macaulay, III., 154.

† Ibid, III., 158-159.

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and the regiments were placed in various garrisons ; but dissaffection was not suppressed thereby. Lord Lichfield's regiment, now the twelfth of the line, and chiefly recruited from Staffordshire, the most Roman Catholic county in England, actually laid down their pikes and muskets, and refused to subscribe an engagement to do away with the Test Act, which the King, in person, asked them to sign. It was necessary, therefore, to remodel the army, if James was determined to persist in his designs. But, in executing this purpose, he took that fatal step which prevented him from appealing to the patriotic spirit of the people against a foreign invader, and thus removed one of the most formidable difficulties which threatened the Prince of Orange. He imported Irish recruits in such large numbers, that the whole kingdom was alarmed and enraged ; for at that period the Irish were contemptuously regarded by the English as a cowardly and degraded race of *foreigners*, and to be held down by these men, while the religion, laws, and liberties of the country were destroyed, roused the entire nation. The army strongly resented the insult, and, in some regiments, the officers resigned in a body. The ballad of Lilliburlero was sung everywhere, and the trick of whistling the air of the song became one of the characteristics of a veteran of the Boyne and Namur in after years.*

James
imports
Irish troops
into
England.

31. What Louis did to assist him. While the King of England was thus raising against himself all those national feelings which, but for his own folly, might have saved his throne, his ally, the King of France, was, in another way, exerting himself not less effectually to facilitate the enterprise which William meditated. Ten years had now elapsed since the Peace of Nimeguen, during which Louis had, without firing a single shot, annexed to France, Strasbourg, the duchy of Deux-Ponts, the petty seigniories dependent on the palatinate and the electorate of Treves, the principality of Orange, the county of Avignon, the towns of Casal, Alost, Courtray, and others. During this time, also, he had built Rochefort, Brest, and Toulon ; he had formed a powerful marine, burnt Algiers, put to ransom Tripoli and Tunis, humbled Genoese liberty, saved that of Venice menaced by the Turks, established the French settlements in India, drawn to Versailles the ambassadors of the kings of several barbarous nations, and, finally, covered France with establishments which at once proved extreme prosperity and

French
aggressions
since the
Peace of
Nimeguen.

extreme slavery. Europe, divided in her interests, had been unable to prevent these aggrandisements; but Spain was in continual alarm for her possessions in the Netherlands; the empire had to demand satisfaction for a multitude of petty usurpations; while Holland, hitherto divided by internal dissensions, was about to present a firm and united resistance to the progress of French conquest.* The Dutch were enraged at the

Louis
excites the
hatred of
the Dutch.

Revocation of the Edict of Nantes, and the subsequent persecution of their fellow-countrymen who had settled in France; and next at the prohibited importation of herrings in that country, a trade by which 60,000 persons in Holland gained their livelihood. The city of Amsterdam was more especially injured; and thus Louis lost the friendship of a city which, had he retained, might have prevented the Revolution.†

At the same time, the French monarch contrived to have a new quarrel with the Pope, and thus unconsciously removed all the scruples which might have prevented the Roman Catholic

He quarrels
with the
Pope.

princes from countenancing William's design. It had long been a custom at Rome that no officer of justice or finance could enter the dwelling, or a certain precinct around it, of any ambassador from a Roman Catholic state. The custom giving occasion to great disorder and tumult, Pope Innocent XI. declared that it should no longer be observed; Spain and the Empire gave way; but Louis refused to give up the pernicious privilege, and his ambassador surrounded his residence with a large military force, and defied the Pope.

This dispute was at its height when another one arose, in which the Germanic body was as deeply concerned as the Pope. Ferdinand of Bavaria, the Elector Archbishop of Cologne, and the faithful ally of Louis, died (May, 1688), and, as his territory commanded sixty miles of the course of the Rhine, and included several strong fortresses, besides the bishoprics of Liege, Munster, and Hildesheim, the alliance of his successor

The dispute
concerning
the Elector
of Cologne.

was of the greatest importance to both Holland and France. The right of choosing this great prelate belonged, under certain limitations, to the chapter of Cologne Cathedral. Louis supported Cardinal Furstemberg, Bishop of Strasbourg; the Protestant states of the Rhine, the Empire, and the Pope, proposed Clement of Bavaria. Previous to this, the chapter had chosen the former to be the elector's coadjutor (January, 1688);

* Carrel, 261-262.

† Macaulay, III., 173, Note.

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but to qualify himself for the coadjutorship, it was necessary that Furstemberg should first resign his see. The Pope had refused to accept his resignation, and his election was therefore void. Now that the elector was dead, and the chapter again had to appoint his successor, the cardinal a second time obtained a majority of votes ; but two-thirds were required for a valid election, and in default of these, the choice fell to Innocent, who appointed the Prince of Bavaria. The allies were equally fortunate in the other three bishoprics. Louis, indignant at the prospect of losing a province which he had begun to regard as a fief of his crown, published a passionate manifesto, in which he accused the Pontiff of violating the laws of justice in favour of Austria, and of encouraging the Prince of Orange to expel a Catholic king from the throne of England.

32. Preparations of the Prince of Orange. While James and Louis thus raised against themselves the enmity of all sects and parties, William laboured to conciliate all. He called on the princes of Northern Germany to rally round him in defence of the common cause of all reformed churches. He represented to Austria the danger of French ambition, and the necessity of rescuing England from vassalage, and of uniting her to the European confederacy ; and to the Roman Catholic princes generally he declared that his chief object was to secure to the peaceable and unambitious Roman Catholics of England a permanent toleration, which would benefit and protect them, instead of that odious and precarious ascendancy which James was endeavouring to establish, and which would be followed by a popular outbreak and a barbarous persecution.*

Catholic
and
Protestant
princes
rally round
the Prince
of Orange.

As early as July, the Prince of Orange had begun his military preparations, under the pretence of resisting the French King in the matter of Cologne. The appearance of Algerine pirates in the German ocean gave him the pretext for increasing his navy. A camp of 20,000 men was formed between Grave and Nimeguen ; 50 cannon were placed on flats to be conveyed to the place of embarkation ; 7,000 men were raised for the naval, and 9,000 for the military service ; 27 ships were added to the 44 already in commission, and the squadron of the Zuyder Zee joined the other squadrons at Helvoetsluys. The Protestant States of Germany undertook to aid the Dutch in defending themselves against the French during the Prince's absence ; and their Roman Catholic allies also engaged to assist them. An active intercourse

Military
armaments
in Holland.

* Macaulay, III., 177.

Movements
of the
English
nobility.

with England was carried on at the same time. Lloyd and Trelawney, two of the seven bishops, assured William of their support; Colonel Trelawney, the brother of the bishop, Kirke, Churchill, and other officers, did the same; Shrewsbury and Russell came over to Holland, the former with a supply of £12,000; and Devonshire, Danby, and Lumley retired to their estates, to raise their followers as soon as the prince should set foot on the island (August). At this juncture Sunderland, the president of the council, and James's principal secretary of state, secretly assured the Prince of Orange of his support. He saw that the breach between James and his subjects had become irreparable, and that the success of the Prince of Orange was certain. Being deeply implicated in James's tyranny,

Treachery
of
Sunderland

he, therefore, sought to avert, by a timely but treacherous service, the punishment which he dreaded would be the reward of his crimes. He gave information to William through his wife, one of whose letters being intercepted by the King, she and her husband stoutly declared it was a forgery.* There were many men, at this crisis, who behaved like Sunderland.

33. The Concessions which James made to avert his Fate. Such was the position of affairs about the beginning of September, and still James not in the least suspected the designs which were being formed against him. An intriguing Irish adventurer, named White, whom he had created Marquis of Albeville, had been sent to the Netherlands to demand an explanation of the armaments going forward. But he had returned information to James that the Dutch entertained no unfriendly design. The French monarch, however, repeatedly warned the King; Bonrepaux was sent to convince him of it; Avaux, the French ambassador at the Hague, had threatened war if the expedition sailed, and he supplied Barillon, in London, with the fullest information of all that was going forward in the Dutch forts. But James was under a delusion which appears to have been artfully encouraged by Sunderland, who showed that the Prince of Orange would never leave Holland defenceless in order to invade England, and that Louis only sought to frighten his Majesty into an alliance with France in the impending war about the electorate of Cologne. If anything could have saved James,

James
rejects the
warnings of
Louis XIV.

it was the declaration of war made by Avaux; but even this friendly act he resented with scorn, and he recalled Skelton, his ambassador at Paris, and committed

He recalls
his ambas-
sador from
Paris.

it was the declaration of war made by Avaux; but even this friendly act he resented with scorn, and he recalled Skelton, his ambassador at Paris, and committed

1688

him to the Tower, for having advised and concurred in Avaux's proceeding. This determined Louis to leave James to his fate; he suddenly withdrew his troops from Flanders, and poured them into Germany, where the whole country, from Baden to Cologne, soon fell into their hands; while he declared that he should preserve the peace with Holland, and the truce of twenty years with Spain. The Dutch funds immediately rose ten per cent.; the armaments went on with redoubled vigour; and the sanction of the States-General was at last given to the expedition.

Louis leaves him to his fate.

James now saw, in all its magnitude and proximity, the danger which threatened him; and the impolicy of his past misrule flashed at once upon his mind. He hastened to repair his errors and retrace his steps; scarcely a day passed which was not marked by some new concession, granted with apparent cheerfulness, but in reality wrung from him by the necessity of his situation.* He solicited the advice of the seven bishops; he ordered the deputy lieutenants and magistrates who had been removed, to be restored; he proclaimed the design of the Prince of Orange, and declared that he should not only rely upon foreign aid, but would depend upon the loyalty of his people; and he revoked the writs he had issued for the meeting of parliament in November, pleading the necessity of the measure. The Bishop of London was restored to the exercise of his episcopal jurisdiction; London received again its old charter; the advice of the prelates was graciously received; the high commission was dissolved; the cities and boroughs recovered their ancient privileges; and a general pardon was published, with the exception, by name, of certain persons, almost all of whom were actually serving under the Prince of Orange (September 22nd—October 17th). The Bishop of Winchester was sent to Oxford to restore Dr. Hough and the ejected fellows of Magdalene, but before he had time to perform this service he was summoned to an assembly of notables (22nd October), before whom James produced proofs of the birth of the Prince of Wales. Sunderland was removed from office, and Father Petre ordered not to appear again at the council board.

Concessions forced by necessity.

Although these large concessions, suddenly made under the influence of fear, were not likely to propitiate a people whose confidence had been destroyed, the leading peers professed to receive them joyfully; they assured the King of their fidelity, and

* Lingard, XIII., 105.

the prelates drew up a general form of prayer for the safety and prosperity of the royal family. James made every exertion to augment his military and naval force. The fleet, consisting of 37 men-of-war and 17 fire-ships, was stationed off the Gun Fleet, to watch the motions of the enemy, and placed under the Earl of Dartmouth. The army, raised to 40,000 men by the arrival of 6,500 Irish, was placed under Lord Feversham.

34. **Landing of the Prince of Orange.** In the meantime, the Prince of Orange, now fully prepared to publish his purposes, issued his famous declaration (October 10th).

In this document he set forth, in a calm and dispassionate tone, the violations of their laws, liberties, and customs, to which the people of England had been subjected; the various acts by which the Popish religion had been forced upon the nation; the general belief that a pretended heir to the throne had been set up against the rights of the Princess of Orange, and the duty which lay upon him, by the esteem of the people and the interest of his consort, to maintain, as far as he was able, the Protestant religion, and the laws, liberties, and just rights of the nation, and to do which he had been earnestly solicited by many lords, both spiritual and temporal, and by many gentlemen, and others of all ranks. For these reasons he declared that he had thought fit to go over to England with a force sufficient to defend himself from the violence of the King's evil counsellors, and that he had no other design than to have a free and lawful parliament assembled, to whose decision he solemnly pledged himself to leave all questions, both public and private.*

The general impatience for the arrival of the Dutch now became daily stronger. The gales, which had been obstinately blowing from the west, and at once prevented William from sailing and

brought fresh Irish regiments from Dublin to Chester, were
The Protestant wind. cursed by the common people, who called the weather Popish. They prayed for a Protestant wind. At length

William set sail from Helvoetsluys, on the 19th of October, with a fleet of 50 men-of-war, 25 frigates, many fire-ships, and 400 transports, having on board 4,000 horse and 10,000 foot. The prince's ship,

the Brill, bore a flag with the arms of England and
The expedition sails. Nassau, surrounded with the motto, "The Protestant Religion and Liberties of England," and underneath was the device of the house of Orange, "I will maintain." Marshal Schomberg took the command of the army, Admiral Herbert the fleet. It was William's intention to proceed to a certain distance, and then alter his course for the coast of Yorkshire, where he was expected by the Earl of Danby; but about ten in the evening, the wind suddenly changed to the west, and by midnight a storm had

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dispersed the fleet in every direction. But the damage was quickly repaired, and on the 1st of November, the fleet again put to sea. On that day the prince's declaration reached London. James was disturbed by the paragraph, in which it was said that some of the peers had invited William over, and he sent for Halifax, Clarendon, and Nottingham, who were then in London. They declared, on their honour, that they were ignorant of any such invitation. Of the prelates, the archbishop, with the Bishops of Durham, Chester, and St. David's, returned an express denial; but Compton, of London, who had signed the invitation, replied that there was not one of his brethren who was not as guiltless as he in the matter.

James questions the peers about the invitation to the Prince of Orange.

James then required of the bishops that they should draw up a paper, setting forth their abhorrence of the prince's design, and he ordered them to withdraw for that purpose. But they declined to do any such thing, for the Dutch fleet had now passed the straits of Dover, and was steering down the channel. The Protestant east wind was blowing full and strong, and thus bore the Dutch fleet towards our western shores, while it kept the English fleet in the Thames; and on the 5th of November the expedition reached Torbay, where the troops landed.* By noon the next day, the whole army was on its march towards Exeter, into which city the prince made his public entry on the 9th. But his reception disappointed his expectations; for no men of rank, with their followers, came to salute him; the bishop and the dean had fled; the clergy and the corporation remained passive spectators; the canons of the cathedral refused to assist at the *Te Deum* which was ordered to be chanted; and even the choristers left the church when Burnet began to read the prince's declaration. Lord Lovelace, the only peer who had, as yet, risen in favour of the invaders, was attacked, defeated, and taken prisoner by the militia, near Cirencester. William was greatly disappointed, he complained that he had been deceived and betrayed; he threatened to re-embark, and to leave his recreant associates to the vengeance of their sovereign. But before the week was out he had full reason to alter both his opinion and intention.†

The expedition reaches Torbay.

William not received as he expected

35. General Desertion from the King. To oppose the prince by land, James had assembled his army on Salisbury Plain. But

* In the market place of Brixham, there is a block of stone, with this inscription:—
"On this stone, and near this spot, William, Prince of Orange, first set foot on his landing in England, November 5th, 1688."

† Burnet's Own Times, III., §14.

while still encamped on Hounslow Heath, a secret association had been formed among the officers, and a communication established, between them and Colchester, Wharton, and Russell, the leaders of an Orange club in London. Lord Churchill was among these military conspirators, and, on the arrival of the prince in Torbay, he stationed three regiments of cavalry at Salisbury, under the command of three of the associated officers. Lord

**Desertion
of Lord
Cornbury.**

Cornbury, the son of the Earl of Clarendon, was the senior of these three; and he, having arranged his plan with his accomplices, led the whole division, by a circuitous route, to Axminster, near the advanced posts of the invading army. But hints of his design had been whispered; he was requested to exhibit his orders for his strange movement; and, on his refusal, was so terrified by the threats of the officers, that he stole away with a few followers to the enemy. Two of the regiments returned to Salisbury; the third was surrounded by the enemy at Honiton, and pressed into the prince's service. The treachery of this young nobleman, who had been brought up in the household of James's daughter Anne, and was the son of his brother-in-law, staggered the King; it spread doubt and distrust through the army, and dissolved the only tie which had hitherto restrained many—the disgrace of being the first to desert the royal colours. The report of it, considerably exaggerated, roused the friends of the prince in every part of the kingdom; the Earl of Danby, and Lord Lumley, called together their associates and dependants in

**The
northern
insurrec-
tion.**

Yorkshire; Lords Delamere and Brandon imitated them in Cheshire, and the Earl of Devonshire raised the standard of insurrection in the midland counties. In his despair, the King called the officers of the army to give him counsel. They vowed to serve him faithfully to the last; and Lieutenant-General Churchill, and the Duke of Grafton (the latter a natural son of Charles II.), were the first to make this protestation. Kirke and Trelawney also made the same vow. These men at that very moment were meditating treachery in their hearts, and in a few days fulfilled it (November 16th). The next day, the leading peers in London petitioned the King to summon

**James
summons a
council of
peers in
London.**

a free and legal parliament without delay, as the only expedient which, in their opinion, could preserve the nation from the calamities with which it was threatened.

James received their address ungraciously, refusing to call a parliament until the Prince of Orange had left the kingdom; and, after they had left his presence, he vehemently declared that

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he would concede nothing, "Not an atom, not an atom;" and he repeated this expression many times, after his fashion. In this mood he set out for Salisbury, leaving five lords, two of whom were papists, to govern in London during his absence. On the 19th he reached Salisbury, and intended next day to review General Kirke's troops, which were stationed at Warminster. But indisposition prevented him. Had he pursued his intention, he would have been seized on the road, and taken prisoner to the enemy's quarters, by Churchill, Kirke, and Trelawney. When he was informed of this conspiracy, he refused to arrest the conspirators, or to betray any knowledge of the plot, but summoned them to a military council, in which it was proposed to consider the question of a retreat beyond the Thames. Feversham strongly advised such a course; Churchill objected, and urged the King to resume his design of visiting the post at Warminster. The consultation lasted till midnight, when the King decided in favour of a retreat. Churchill at once saw that he was suspected; he and Grafton immediately fled to the prince's quarters at Axminster, and they were followed, in the morning, by Kirke, Trelawney, and several others (November 24th). All was confusion in the royal camp after this, and an immediate retreat was ordered. James stopped that evening at Andover, and invited his son-in-law, Prince George of Denmark, to sup with him. Six days before this, the Princess Anne had pledged her word to William for the defection of her husband; but George was indolent, and instead of following his mentor Churchill, the night before, he had simply exclaimed, according to a stupid habit he had, when any news was told him, "Est il possible?" "Is it possible?" He had, however, active friends, and no sooner had he left the royal table, than the Duke of Ormond, and Lord Drumlanrig, eldest son of the Duke of Queensberry, took him off to the nearest quarters of the enemy. His defection was of no great consequence in itself, but it occasioned uneasy thoughts in the King as to the fidelity of his daughter Anne, over whom he knew the Churchills had great influence. This princess no sooner heard, in fact, of her husband's desertion, than she prepared to follow him, and on the night of the 25th, in the company of Mrs. Churchill and Mrs. Berkeley, she escaped from Whitehall, and was escorted by the Earl of Dorset, and Compton, Bishop of London, disguised as a life guardsman, to Nottingham, where she joined the northern

He joins
the army on
Salisbury
Plain.

Desertion
of Churchill,
Kirke, and
others.

Prince
George goes
over to the
Prince of
Orange.

The
Princess
Anne joins
the northern
rising.

insurgents. Soon after her escape was known, the King arrived in London. On the receipt of the intelligence, he burst into tears, and exclaimed "God help me! my very children have forsaken me!"*

36. The King escapes from London. In the opinion of every man the royal cause was now hopeless. Dartmouth wrote to say that he could not answer for the loyalty of the fleet under his command; Newcastle, York, Hull, Bristol, and Plymouth, declared in favour of the prince; and numerous meetings were held in York, Derby, and Nottingham, where resolutions were carried in favour of a free parliament, and the support of the Protestant religion. In this extremity, James summoned a great council of peers, forty in number, and all of them Protestants (November 27th). They spoke to him with freedom, and Clarendon was especially vehement against tyranny and popery, and the King's pusillanimity. Halifax, who was ambitious at this juncture to be the peacemaker between the throne and the nation, urged the King to call a parliament, to grant a pardon without exceptions, to redress the worst grievances immediately, by dismissing every Catholic from his service, to open a negotiation with the Prince of Orange, and to separate himself wholly from France. In a few days a proclamation for a general amnesty was issued, a parliament was summoned for the 13th of January, and Halifax, Nottingham, and Godolphin, were appointed commissioners to treat with the prince. Yet, even at this moment, James was insincere. He told Barillon, the French ambassador, that a parliament would impose conditions upon him which he could not bear; that he must leave England; and that he would take refuge in Ireland, or in Scotland, or would seek aid in person from the King of France, as soon as he had secured the safety of the Queen and his son. He had already made his preparations for carrying this scheme into effect. Lord Dover had been appointed to the government of Portsmouth, and entrusted with the charge of the Prince of Wales, and Lord Dartmouth, the admiral, was ordered to convey the child to France. But Dartmouth refused to obey this order; the prince was, therefore, brought back to Whitehall.

In the meantime, the three commissioners proceeded to the camp of the Prince of Orange, who was steadily advancing towards the capital, and on the 6th of December had reached Hungerford, where the commissioners arrived on the 8th, and, in a public

James
summons
a great
council of
peers.

Com-
mis-
sioners sent
to treat
with the
Prince of
Orange.

* Macaulay, III., 236-259.

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audience, proposed that all matters in dispute should be referred to the parliament about to assemble, and that in the interval, the prince's army should not approach within thirty miles of the capital. The majority of William's adherents decided that these terms should not be accepted; but he did not object to them, provided the royal troops removed to the same distance east, as he was required to be west, of London.

Their
reception
by William.

The capital, during all this, was in a state of fearful distraction; the houses of the Roman Catholics were searched for arms, by order of the lord mayor; the hue and cry was set up against Father Petre, who had managed to escape; and a forged proclamation appeared, as if from the Prince of Orange, calling on all magistrates and good Protestants to disarm the Papists, and put them in prison. It was high time, therefore, that James should look after his own safety.

The Queen
and the
Prince of
Wales
reach
Calais.

The Queen and the Prince of Wales were privately conveyed down the river to Gravesend, where they embarked on board a yacht, which conveyed them to Calais (December 10th). He then made preparations for his flight next day. His most valuable moveables were entrusted to the care of several foreign ambassadors; he sent for the great seal, and for the writs for the new parliament, which had not yet gone out, and he threw the latter into the fire, annulling in legal form those which had been issued; and to Feversham he wrote a letter which could be only understood as a command to disband the army. At three o'clock next morning, he rose and disguised himself, took the great seal with him, which he threw into the Thames as he crossed from Millbank to Vauxhall, and reached

James
leaves
London.

Emley Ferry, near Feversham, before noon, accompanied by Sir Edward Hales (December 11th). The custom-house hoy had been engaged to convey him to France, but, the ship wanting ballast, they were forced to run her on shore near Sheerness, where, about eleven at night, they were boarded from three boats, cruising in the mouth of the river to intercept the fugitive royalists. The hoy was taken back to Feversham, where the King, finding that he was known, acknowledged himself, and was placed under the custody of the mayor.

But is
taken at
Feversham.

SECTION IV.—THE INTERREGNUM, 11TH DECEMBER, 1688—13TH FEBRUARY, 1689.

37. **The Irish Night.** The news of the King's flight was soon known all over London, and the utmost surprise and consternation were excited. The general commotion was increased when it was also known that Feversham had, on the royal order, instantly disbanded his forces. There was no government, no king to administer the law, no armed force to preserve order, and London at that time was full of marauders ready to take immediate advantage of such a state of anarchy. The soldiers, too, had been let loose without any of the restraints of discipline, destitute of the necessities of life, and not deprived of their arms. To prevent the universal confusion which was thus likely to result, about thirty spiritual and temporal peers, with Sancroft at their head, joined the lord mayor and aldermen at the Guildhall, and, forming themselves into a separate council, assumed the provisional government. They published a declaration, that the flight of the King having destroyed the hope of a parliamentary settlement of affairs, they had determined to join the Prince of Orange, until whose arrival they should undertake the preservation of order. They removed Skelton from the command of the Tower, and entrusted it to Lord Lucas, and they issued circular orders to the naval and military officers, to watch over the preservation of discipline in the fleet and army.

But to maintain tranquillity in London was their greatest difficulty. When night came, the fierce multitude, amidst the cries of *No Popery*, burnt the Roman Catholic chapels, and attacked the houses of ambassadors from Roman Catholic states. But no lives were sacrificed. The next day, the trainbands and some troops of cavalry kept down the tumults, and saved Jeffreys from being torn in pieces by the mob, who had discovered him in a public-house in Wapping, in the disguise of a sailor. The terror-stricken judge was sent to the Tower, where he closed his life in unspeakable ignominy and horror. On the second night, the citizens were roused from their sleep by a fearful cry of "the Irish are up and cutting throats!" Instantly every citizen came forth to fight for life and property, whilst every window was lighted up, and barricades were hastily constructed

Sancroft and others assume the provisional government.

Excitement against the Irish.

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in every leading thoroughfare. The alarm was altogether false; but by some unknown agency, the same consternation was excited throughout the country. Speke, who wrote the forged proclamation ordering the Protestants to disarm and imprison the Roman Catholics, afterwards declared that he was the author of this dangerous contrivance. If he expected to excite the people against the depressed Roman Catholics, he was greatly mistaken. The exaggerated terror showed how little there was really to apprehend, in a country in which nine-tenths of the people were Protestants. The poor Irish soldiers, wandering through the towns and villages, begged for food; but they neither massacred nor plundered. They were soon required to deliver up their arms, and were provided with sufficient necessities.*

One Speke
originated
the cry
against
the Irish.

38. James returns to London, but is ordered to leave it again. On the third day from James's flight, it became known in London that he had not left the country, but was in the hands of the people at Feversham. The council in London immediately sent Lord Feversham to set him at liberty. Halifax objected to this, and finding that the schemes of reconciliation on which he had hitherto been intent were now no longer practicable, he repaired to the prince's head quarters at Henley. James, on his part, resolved to return to the capital; and from Rochester he sent Feversham to the prince at Windsor, inviting him to a personal conference at the palace of St. James's. But this turn in affairs did not suit the prince's plans; he arrested Feversham, and sent a message to James declining the proposed conference, and desiring him to remain at Rochester. This message, however, was too late, for James had now arrived at Whitehall (December 16th), and had been received by the people with many shows of kindness. These unexpected signs of popular good will and compassion misled the feeble king; he instantly put on the attitude which had so alienated his subjects; the Roman Catholic priests again thronged his court; he went to mass, and a Jesuit said grace at his table. He held a council, and summoned to it, even in that extremity, persons not legally qualified to sit in it; and he called the lords before him who had saved the country from confusion when he fled from the capital, and haughtily blamed their presumption in taking upon themselves the government. His hopes, however, were soon cast down, when Zulestein came to deliver

Halifax
joins the
Prince of
Orange.

James
returns to
Whitehall.

* Knight, IV., 441.

William's cold and stern message, and to inform him of the arrest of Feversham. He appealed to the common council to defend him against the prince, but they refused to aid him.

While he was in this state of trepidation, William called a grand council of peers at Windsor (December 17th) at which Halifax presided, and where it was decided that the King should not remain at Whitehall. Clarendon, who

had joined the prince at Salisbury, secretly advised the detention of James in close custody in England; but William wisely determined that his uncle should be allowed to withdraw from the kingdom, and that his escape should bear the appearance of his own voluntary act. For this purpose, he sought to operate on the King's apprehensions; ordered four battalions of the Dutch guards to march into Westminster; and despatched from St. James's House, Halifax, Shrewsbury, and Delamere, with the

James
retires to
Rochester.

order of the lords who had sat in the council, that James should retire to Ham, a villa on the Thames, belonging to the Earl of Lauderdale. James declined to go to that place, and proposed Rochester. While he was being conveyed down the river, the Dutch troops marched into London: and that night (December 18th), the Prince of Orange slept in the palace of St. James's.

39. **The Prince of Orange Assumes the Provisional Government.** The next day the Prince of Orange held a court at St. James's, which was attended by the corporation of London, all the bishops except the primate, and the chief clergy, lawyers, and non-conformist divines in London. The lawyers were headed by the venerable Maynard, who, at ninety years of age, was as active and clear headed as when he accused the Earl of Strafford in Westminster Hall. The prince was advised by this assembly to take the crown as Henry VII. had taken it, by right of conquest. He rejected the advice, because it was in violation of the promises contained in his declaration, but he resolved to assemble,

An
assembly of
Peers and
Commons
meet in
London.

provisionally, two bodies that should represent the Lords and Commons of England. On the 21st, about 70 spiritual and temporal peers assembled, by his invitation, and formed a kind of House of Lords; and with them were, in a few days, united the aldermen of London and a deputation from the common council, together with all those gentlemen who had sat in the House of Commons during the reign of Charles II. (December 26th). In the meanwhile, James escaped from Rochester (December 23rd), and after a voyage of two days

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reached Ambleteuse, on the coast of France, whence he proceeded to St. Germain, which Louis gave him for his residence. This flight considerably expedited the business of the two assemblies, and it was finally agreed to present addresses to the Prince of Orange, requesting that he would issue letters to summon a Convention of the Estates of the realm, and, in the meantime, take upon himself the administration of the government. These addresses were accepted, and the prince immediately applied himself with all the energy of his character to the difficult task entrusted to him. The exchequer was empty, but such was the confidence he inspired, that the merchants of London immediately placed in his hands a loan of £200,000. The letters for calling the convention were sent out; the old charters were restored; and all the elections proceeded without any interference with the freedom of the electors, by the influence of the servants of the crown.

James
escapes to
France.

William
summons
the
convention
parliament.

40. **The Second Convention Parliament.** Parties in it, and their principles. The Convention met January 22nd, 1689. The composition of the House of Commons was such, that there was not likely to be any serious difference of opinion upon the fundamental principles of a settlement of the nation. Yet there were many difficulties to overcome. A very small fraction wished to recall James without stipulation, while an equally small fraction wished to set up a commonwealth. But the great majority of the nation, and of the Convention, was divided into these four bodies, three of which consisted of Tories, and the fourth of Whigs. The *Tories, or Old Cavaliers*, upheld the cause of hereditary monarchy, and the supremacy of the church establishment. So far in the Revolution they had united with the Roundheads, Presbyterians, and Independents, from the dread of Popery; now that that dread was removed, they began to fear for their beloved church, lest her articles should be softened down, her liturgy garbled, her canons abolished, and her fasts and festivals done away with, by the Presbyterian prince whom they had placed at the head of the government, and his Latitudinarian followers. These were their general sentiments; but they were torn by dissensions, and beset on every side by difficulties.

The Tories,
and their
fears of a
revolution.

One section, especially strong in divines, of which Sherlock was the chief organ, proposed that James should be invited to return on such conditions as might fully secure the civil and ecclesiastical constitution of the realm. A manifesto which James issued from St. Germain, in which he impudently declared

Sherlock's
party.

that he had governed moderately and justly, and that his people had been cheated into ruin by imaginary grievances, convinced this party of the folly of their proposal; they, therefore, coalesced with *another body* of Tories, of whom Sancroft was the chief. This party acknowledged that James was unfit to govern, but, as it was criminal to despoil him of the crown, they maintained that he should govern by a regency. The non-jurors belonged to this party.

A *third section* of the Tories recommended a very different plan to either of these. Danby and Compton in the Lords, and Sawyer in the Commons, headed it, and argued thus: It was contrary to all principle for subjects to depose their sovereign. But it was not necessary to depose James, because he had, by his flight, abdicated his power and dignity. A demise had actually taken place, and therefore the next heir had succeeded; for, according to the constitution, the throne could not be one moment vacant. The infant Prince of Wales was of suspicious birth; it was necessary that that suspicion should be removed; but his parents had conveyed him out of the realm, and made inquiry impossible. Judgment, accordingly, must go against him by default; he was, therefore, by all the laws of equity, a pretender, and the crown had legally devolved on the Princess of Orange, who was actually the Queen Regnant, and had only to be proclaimed by the two houses.

The course of the *Whigs*, meanwhile, was simple and consistent. Their doctrine was, that the foundation of our government was a contract expressed on one side of the oath of allegiance, and on the other by the coronation oath; and that the duties imposed by this contract were mutual. A sovereign, therefore, who grossly abused his power, as James had done, might be lawfully withstood and dethroned by his people. A departure from the ordinary rule of succession was not of itself an evil, situated as the country then was. Till that rule had been broken, the doctrines of indefeasible right and passive obedience, and the notion that the kingly office is the ordinance of God, in a sense different from that in which all government is His ordinance, would still be taught and maintained. It was necessary for the security of the constitution that these superstitions should be extinguished; for a really limited monarchy cannot long exist in a society which regards monarchy as something divine, and the limitations as mere human inventions.*

* Macaulay, III., 354-364.

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41. The Commons Vote that the Throne is Vacant. The most important of these differences was encountered and settled by the Commons in their great vote of the 28th of January; in which, after some faint opposition from the friends of the late King, they resolved: *That King James II., having endeavoured to subvert the constitution of this kingdom by breaking the original contract between king and people, and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant.* This resolution, drawn up by Somers, Maynard, and other eminent men, was followed next day by another, declaring that *it hath been found by experience to be inconsistent with the safety and welfare of this Protestant kingdom to be governed by a Popish prince.*

42. Debates in the Lords upon it. No opposition was made by the Lords to this latter resolution; but upon the former, several important divisions took place. The first question discussed by them was, whether a regency, with the administration of royal power, under the style of King James II., during the life of the said King James, was the best and safest way to preserve the Protestant religion and laws of this kingdom. Nottingham, Clarendon, and Rochester were the chief supporters of this motion; Halifax and Danby the chief opponents; and it was lost by a majority of 51 to 49. The Lords then proceeded to the discussion of the abstract question, concerning an original contract between king and people; and a sharp debate ensued, in which the Tories tauntingly asked where the contract was preserved, what were its provisions, and in what writer or record they could be found. The Whigs replied, that the people were the source of power, and could not be supposed to place themselves under the government of others, without some previous stipulation in their favour. They did not deny that the crown was hereditary in the same family; but they contended that it was elective as to the person, both from historical records, and from the practice still preserved of asking the consent of the people at the coronation of a new sovereign, who was, himself, compelled to admit, virtually, the existence of the contract, by taking the oath usual on such occasions. To this the Tories objected, that it supposed as a principle, that the new sovereign derived his authority from his coronation; but this was contrary to the maxim that the king never dies, and to the fact based thereon, that the new sovereign became king from the moment

Proposal for
a regency.

The
original
contract.

of his predecessor's death, before any oath or election. On a division, however, it was determined, by 53 votes to 46, that the words should stand. *It was then resolved that, King James had broken the contract, after which the substitution of the word "deserted" for "abdicated" was agreed to, without any division.*

All this was but preliminary to the discussion of the grand constitutional question, *whether it followed from the desertion of the government by James, that the throne was vacant.* For if the throne was vacant, said the Whigs, the Estates of the Realm might place William in it; but if not, he could only succeed to it after his wife, after Anne, and after Anne's posterity. The Tories objected to the throne being declared vacant, because that would admit that it was elective; and repeating the maxim, that the king never dies, said, that it would be better to follow out, logically, the principles of the constitution to their consequences. There had been a demise of the crown; at the instant of the demise, the next heir, namely, the Princess of Orange, became the lawful sovereign, and was, in fact, at that moment, the lawful sovereign. The Whigs answered, that it was idle thus to apply ordinary rules to a country in a state of revolution. If it was a legal maxim, that the king never dies, and the throne is never vacant, it was also a legal maxim that a living man can have no heirs. Yet James was still living; how, then, could the Princess of Orange be his heir? The laws fully provided for the succession when the sovereign's power terminated with his life, but did not provide for such a rare case as the present, in which his power terminated before his natural life. With such a case, the constitution had now to deal; the house had pronounced the throne vacant; there was, therefore, a demise; neither common nor statute law designated any person as entitled to fill the throne between the demise of the sovereign, and his decease; let the house, therefore, invite the Prince of Orange to fill the vacancy which had been declared. He was not the heir; but that was an advantage: for, although hereditary monarchy was a good political institution, it was not more sacred than other good political institutions; and as it had been converted into a religious superstition, it would be a blessing to society, if by deviating, for a time, from the general rule of descent, we preserved the institution, and yet got rid of the abject and noxious superstition of divine right, which had been so long connected with it. Finding themselves in a minority, the Whigs tried to compromise the dispute, by proposing to omit the words

On the
vacancy
of the
throne.

Objections
of the
Tories.

Answer of
the Whigs.

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which pronounced the throne vacant, and simply to declare the Prince and Princess of Orange King and Queen. But the proposition was rejected by 52 votes to 47; and when the question was put, whether the throne was vacant, that, also, was rejected, by 55 to 41 (January 31st). Thirty-six peers immediately entered their dissent in the journals.

The Lords
resolve that
the throne is
not vacant.

43. The Prince of Orange objects to a Regency. During the two following days, London was in an unquiet and anxious state. The populace, led by Lord Lovelace, proceeded to Westminster with a petition, that the crown should be given, without delay, to the Prince and Princess of Orange. But the petition had no signature, and both William and the two houses resented this attempt to influence the deliberations by external force.

A letter from James to the Convention was received, in which he exhorted the Lords and Commons not to despair of his clemency, and graciously assured them, that he would pardon all who had betrayed him, except a few, whom he did not name. Both houses voted that the letter should not be received.

James's
letter to
the houses.

In the meantime, a great meeting had been held at Devonshire's house, in London, at which Fagel, the prince's chief adviser, stated that his master would never submit to be gentleman-usher to his wife; and William himself sent for Halifax, Danby, and Shrewsbury, and the leaders of the Whig party, and distinctly told them, that he would neither accept the regency, nor become his wife's subject, nor yet hold the crown by her right.

44. Conference between the two Houses on the Question. On the 4th of February, the Commons rejected, by 280 votes to 151, the amendments of the Lords, and then requested a free conference with the upper house. This conference was conducted with remarkable ability. The principal argument of the Lords was directed against the vacancy of the throne. They contended, that in our government, there could be no interval or vacancy, the heir's right being complete by a demise of the crown; and, that if any other person were designated to the succession, it would at once render the monarchy elective. Somers was the leading manager of the Commons, and when he was challenged to show any authority for the proposition that England could be without a sovereign, he produced the parliamentary roll of 1399, in which it was expressly set forth, that the throne was vacant during the interval between the resignation of Richard II., and the enthronement of Henry IV. The Lords produced the parliamentary roll of the 1 Edward IV., which solemnly annulled this record of 1399;

but Treby then laid on the table the parliamentary roll of the 1 Henry VII., which repealed the act of Edward IV., and, consequently, restored the validity of the record of 1399. At last, the Lords yielded, not that they were unable to meet the arguments of the Whigs; for they were as much superior in the mere argument, either as regarded the common sense of words, or the principles of our constitutional law, as their opponents were superior in having every advantage on the solid grounds of expediency.* But it was known that the Princess of Orange was displeased with the conduct of her friends, who were striving to set her above her husband, and, therefore, when the question was put, whether King James had abdicated the throne, only 3 Lords said "*not content*." On the question of the vacancy, the "*contents*" were 62; the "*not contents*" 47. It was then immediately proposed, and carried without a division, that the

The two houses, at last, agree that the throne is vacant.

The Prince and Princess of Orange are declared.

Prince and Princess of Orange should be declared King and Queen of England. Nottingham next moved, that the words "*rightful and lawful*," in the oath of allegiance should be omitted, that the oath might be conscientiously taken by those who, like himself, disapproved of what had been done, and yet fully purposed to be loyal and dutiful subjects of the new sovereigns. This alteration implied the doctrine, that William and Mary were King and Queen not *de jure*, but *de facto* only; but this was not perceived at the time, and the proposition was not objected to (February 7th).

45. **The Declaration of Rights.** The House of Commons, with a noble patriotism, delayed to concur in this hasty settlement of the crown by the Lords, till they should have completed the declaration of those fundamental rights and liberties, for the sake of which alone, they had gone forward with this great revolution. On the 29th of January they had resolved that, "before the Committee proceed to fill the throne now vacant, they will proceed to secure our religion, laws, and liberties." Accordingly, an instrument was framed, which, after several conferences and amendments, obtained the approbation of both houses (February 13th), and was presented to the Prince and Princess of Orange, in the Banqueting House, at Whitehall.

This instrument, called the Declaration of Rights, and afterwards enacted into the *Bill of Rights*, consists of three parts:—

1. *A recital* of the illegal and arbitrary acts committed by the late King, and of the consequent vote of abdication passed by the two houses.

* Hallam, IV., 261.

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2. *A declaration*, nearly following the words of the former part, that such enumerated acts are illegal.

3. *And a resolution*, that the throne shall be filled by the Prince and Princess of Orange, according to the limitations mentioned in the last chapter, viz.: that the prince and princess shall hold the crown and royal dignity during their lives, and the life of the survivor of them; and that the sole and full exercise of regal power shall be in the said prince. That after their decease, the crown shall go to the heirs of the body of the said princess; and in default of such issue, to the Princess Anne of Denmark, and the heirs of her body; and in default of such issue, to the heirs of the body of the said Prince of Orange. The Bill of Rights added a clause, which excluded a papist, or one who married a papist, from all right to the throne. In the *Declaration* it was declared—

1. That the pretended power of suspending laws, or the execution of laws, by regal authority, without consent of parliament, is illegal.

2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and exercised of late, is illegal.

3. That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of the like nature, are illegal and pernicious.

4. That levying money for, or to the use of the crown, by pretence of prerogative, without grant of parliament, for longer time, or in any other manner than the same is or shall be granted, is illegal.

5. That it is the right of the subjects to petition the King, and that all commitments and prosecutions, for such petitions, are illegal.

6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with the consent of parliament, is illegal.

7. That the subjects which are Protestants, may have arms for their defence suitable to their condition, and as allowed by law.

8. That elections of members of parliament ought to be free.

9. That the freedom of speech or debates, or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.

10. That excessive bail ought not to be required, nor excessives fines imposed; nor cruel and unusual punishments inflicted.

11. That juries ought to be duly impanelled and returned, and that jurors which pass upon men in trials of high treason ought to be freeholders.

12. That all grants and promises of fines and forfeitures of particular persons before conviction, are illegal and void.

13. And that, for the redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently.

When the clerk of the House of Lords had finished the reading of this document, the Prince and Princess of Orange signified their assent to it, Halifax, speaker of the House of Lords, in the name of all the Estates of the Realm, requested the prince and princess to accept the crown. "We thankfully accept," said William, "what you have offered to us." Then for himself he assured them that the laws of England should be the rule of his life, that he would constantly seek the advice of the two houses, whose judgment he

should trust, rather than his own. The royal proclamations were then made, and the Revolution was accomplished.

46. The Revolution of 1688 and its Consequences. The "Glorious Revolution," as this great event has been emphatically denominated in our public acts, cannot be defended without we reject the slavish doctrines of divine right and passive obedience: or even that pretended modification of them which imagines some extreme case of intolerable tyranny as the only plea and palliation of resistance. The question to be answered is—were the laws and religion of the realm, and the general security, safe in the hands of James? Were the Stuarts fitted for the condition in which they were meant to stand—to be the limited kings of a wise and free people—the chiefs of the English commonwealth? There is only one answer to these questions, and an answer which requires no

The Stuarts were utterly incapable of becoming constitutional sovereigns.

proof. The Stuarts were utterly incapable of becoming constitutional sovereigns. But the question next arises: Was there such an extremity in the case, that the abjuration of allegiance to a reigning sovereign, and a deviation from the standard rules of law and religion, became justifiable? To this it may be replied that, although James summoned a free parliament, he was in no want of money, and would not have endured the warm assaults which would have been made upon his administration when the session opened. We may be sure that a short and angry session would have ended with a more decided resolution, on his side, to govern in future without a parliament; for the doctrine of Lord Strafford, that, after trying the good will of parliament in vain, a king was absolved from the legal maxims of government, was always

It was necessary to alter the succession.

at the heart of the Stuarts.* The King had a numerous army filled with popish officers and soldiers; the militia was under the command of lord and deputy lieutenants, carefully selected; and French troops were always at hand. So that, had not the Prince of Orange stepped in and earned the just title of "Deliverer," our ancestors would have had only two alternatives—the renewal of civil bloodshed and the anarchy of rebellion, or slavery and degradation.† James II. was an enemy whose resentment could never be appeased, and whose power, consequently, must be wholly taken away. And he must be banished; for, had he remained in England, it would have been extremely difficult to deprive him of the nominal sovereignty,

The danger if James had remained in England.

* Hallam, II., 250.

† Read the picture which Macaulay gives of the results which would have followed. III., 426.

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although the Prince of Orange might have been invested with all its real attributes ; and when the reaction of loyalty should return, what would have been the result ?

The best defence of the Revolution is, that it has been our last ; and that it has averted all those calamities which France has suffered, and which we have witnessed, in our own day, afflicting the fairest portions of the continent. The Revolution was strictly defensive ; and while it made changes in the constitution, it did not destroy it. Thenceforward parliament was fully recognised as the supreme power in the land ; the sovereign was declared to belong to the people, and he, as well as they, were bound to the observance of the laws of the realm. The Revolution, again, established the triumph of liberal principles as opposed to those of despotism ; it for ever uprooted the theory of indefeasible right, and of paramount prerogative, which had put the crown in continual opposition to the people. Another great advantage of the Revolution was, that it broke the line of succession, and thus did away with the notion of divine right. The tenure of the crown was made conditional on its possessor fully recognising and observing the statutes enacted for the common interests of both king and people, and preserving inviolate the established constitution in church and state.*

The
Revolution
strictly
defensive.

The
changes
it made
in the
constitu-
tion.

* Hallam, II., 256-257 ; Macaulay, III., 404-413.

THE SECOND STUART PERIOD. 1660-1688.

CHAPTER VII. THE PEOPLE.

SECTION I.—THE NATIONAL RESOURCES.

1. **The Revenue.** The modern history of the public revenue properly begins at the Restoration. The revenue of Charles II and his brother, although much larger than that of their predecessors, was yet small when compared with the national resources and with the revenues of neighbouring sovereigns. It was little more than three-fourths of the revenue of the United Provinces and hardly one-fifth of that of France. The sum of £1,200,000 was the amount fixed by the Convention parliament, and afterwards confirmed in an act called *the great statute*, as being the foundation of our modern system of custom-house duties. The rates imposed by this act were distinguished from other rates imposed by subsequent statutes, under the name of *the old subsidy*. These were, tonnage and poundage, which produced about £530,000 a year; and the excise, which was made *hereditary*, and produced about £585,000. The profits of wine licenses, which were conferred by another act, produced £300,000; and the hearth-tax, or chimney-money, a duty of 2s. upon every fire, hearth, and stove, in all dwelling-houses worth more than 20s. per annum, which was first imposed in 1662, produced £170,000 a year. The royal domains, also, were extensive, and were valued at £100,000 per annum; the first fruits and tenths had not yet been surrendered to the church; and these, together with the forfeitures and fines, the revenues of the duchies of Cornwall and Lancaster, and other minor sources, produced a sum total of about £1,400,000. This income was occasionally increased by plundering the public creditor, and by the pensions from Versailles. So much, however, had the revenue increased that for the year 1688 it amounted to more than two millions. James's large revenue thus enabled him to maintain a powerful navy and army; and at the moment of his downfall, he had 30,000 regular troops in his pay in England alone. James, also, possessed the revenues of the post-office, which parliament had appropriated to him as Duke of York.*

* Pict. Hist., III., 850-851; Macaulay, I., 298-300.

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2. **The Army.** The only army which the law recognised was the militia, which was remodelled by two acts of parliament, shortly after the Restoration. Every man who possessed £500 a year derived from land, or £6,000 personal estate, was bound to provide and equip a horseman at his own charge; and he who had £50 a year in land, or £600 personal estate, ^{The militia.} was charged with a pikeman, or musketeer. Smaller proprietors were joined together in a kind of society; each society having to furnish a horse or foot soldier, according to its means. A force of 130,000 men was thus raised.

But the militia was never in favour with the court, and Charles very early began to form a standing army—the name of which was hateful to Englishmen. He kept up a body of life guards, many of whom were of good families, at his own expense; they were designated gentlemen of the guard, and received ^{The horse guards.} very high pay. A small body of grenadier dragoons, of a lower class and pay, was attached to each troop. The Blues, so called from their blue coats and cloaks, were another body of household cavalry; beside which, there was a regiment of dragoons formed out of the cavalry which came from Tangiers.

The household infantry consisted of two regiments—the foot guards and the Coldstream guards. In those days there were no barracks; and as the Petition of Right had declared it unlawful to quarter soldiers on private families, the infantry filled the alehouses of Westminster and the Strand.

There were five other regiments of foot; one called the Admiral's, because it served on board the fleet; another the Buffs, because their accoutrements were formed of buffalo leather; and a ^{The foot guards.} third, the Scotch fusiliers, because they carried the *fusil*, a lighter firelock than the musket. Grenadiers, so called because they were dexterous at flinging hand-grenades, were introduced in 1678. Some of these regiments had served abroad with distinction, under Gustavus Adolphus, and Prince Maurice of Nassau. The chief arms were the pike and the musket; but the latter soon became the principal weapon with the infantry, and was converted into a pike by the insertion of the muzzle of a long dagger, called a bayonet, because it was made at Bayonne.* At the accession of James II., the army consisted of about 7,000 foot, and 1,700 cavalry and dragoons.

3. **The Navy.** While the national jealousy prevented the King from maintaining a formidable standing army, like the continental

* Macaulay, I., 301-308.

princes, there was no impediment to prevent him from making England the first of maritime powers. The Commons, even when most discontented, were always ready to make bountiful grants for the support of a navy. But the vices of Charles's court made this liberality fruitless; and, towards the close of his reign, the navy had sunk into degradation and decay. The ships were rotten; the sailors, even the officers, were not regularly paid.

Sometimes they were not paid at all. No distinction was as yet made, between the naval and military services, in any country of Europe; but, as the arts of war and navigation improved, it became necessary to separate the two professions.

France was the first country which adopted the new system; but, in England, ignorant landsmen continued to be appointed to the command of ships. Thus, in 1672, John Sheffield, Earl of Mulgrave, at the age of twenty-three, was made captain of a ship of eighty-four guns, although he had never been three months afloat; and, as soon as he came back from sea, he was made colonel of a regiment of foot. As the Atlantic and Mediterranean were then much infested by the Barbary pirates,

and merchants were unwilling to trust precious cargoes to any custody but that of a man-of-war, naval officers made great profits by conveying these cargoes from port to port. The interests of their country, or the orders of their superiors, were never allowed to interfere with their private profits, in this respect. A certain captain, having missed one of these profitable voyages, by obeying the orders of the admiralty, Charles told him he was a fool for his pains! While these "gentlemen captains," as they were called, lived voluptuously on board, the navigation of the ship was left to a master,—some veteran seaman,—who was treated with lordly contempt by his aristocratical superior. Nevertheless, there were many valiant sailors in the English navy, who rose from the lowest offices of the fore-castle to rank and distinction. One of these was Sir Christopher Mings, who entered the service as a cabin boy. His cabin boy became Sir John Narborough; and the cabin boy of Sir John was Sir Cloudesley Shovel. About £380,000 was the annual cost of the navy at that time.* At the Revolution, the fleet consisted of 173 vessels, manned by 42,000 seamen.

4. The Ordnance, and Non-effective Charge. There was no regiment of artillery, no brigade of sappers and miners, no college in which young soldiers could learn the art of war in England, in

* Macaulay, I., 309-317.

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the seventeenth century; and the stock of gunpowder kept in the forts and arsenals was very small. There was also no non-effective charge, as it is called; half-pay, in the army, was given merely as a special and temporary allowance to a few officers belonging to two regiments; and, in the navy, the number of half-pay officers was equally small. Greenwich Hospital was not yet founded; Chelsea Hospital was building; but the cost of it was defrayed partly by a deduction from the pay of the troops, and partly by private subscription; and it was no part of the plan that there should be out-pensioners. The whole effective charge of the army, navy, and ordnance was about £750,000; the non-effective charge scarcely exceeded £10,000 a year.

5. Cost of the Civil Government. The expenses of civil government were not borne by the crown, except to a small amount; the great majority of those officers who administered justice and preserved order, as sheriffs, magistrates, constables, &c., either giving their services gratuitously, or remunerating themselves in a way which caused no drain upon the revenue. The superior courts of law were chiefly supported by fees. Our relations with foreign courts were on a similar economical footing. The only *ambassador*, so styled, resided at Constantinople, and was partly supported by the Turkey Company; to other courts, England only sent an *envoy*. While, however, the army, the navy, and the diplomatic missions, were thus niggardly dealt with, the personal favourites of Charles, his ministers and their creatures, were gorged with public money. It was easy for a statesman, who was at the head of affairs, to make a large fortune in a very short time, and Clarendon, Arlington, and Lauderdale built splendid mansions and acquired immense estates while they were in office. The office of first lord of the treasury, or secretary of state, was worth £100,000 a year; that of lord-lieutenant of Ireland was worth £40,000 a year. Hence it was, that statesmen in those days struggled for office, and tenaciously retained it, in spite of every danger and vexation. All officials, from the noblemen who held the white staff and the great seal, down to the humblest tidewaiter and guager, practised the grossest corruption without disguise, and sold offices, titles, and pardons openly.

Statesmen
made large
fortunes.

Corruption
universal.

The incomes of the nobility, gentry, and professional men were small, when compared with the salaries and pensions of the courtiers. The Dukes of Ormond, Buckingham, and Albemarle were reputed to be the three richest subjects

Noblemen's
incomes.

in England: the first had an income of £22,000; the second, of £19,600; and the third left £15,000 a year in real estate, and £60,000 in money. But the Archbishop of Canterbury had hardly £5,000 a year; the average income of a temporal peer was £3,000, and of a member of parliament £800 a year.*

6. **Commercial Wealth.** We are indebted to three writers, for very comprehensive and clear views of the commerce and wealth of England, in this period, namely: Sir Josiah Child, an eminent London banker, and a director of the East India Company; Sir William Petty, the author of a *Political Arithmetic*, first published in 1676; and Dr. Davenant, who wrote several *Discourses on Trade*, in the reign of William III. From these writers it appears that, although the Dutch still excluded us from the fisheries, and from the Baltic and Chinese trade, the general commerce of the country was more extensive and profitable than at any former period. One-third more money was given with apprentices; we shipped off more tin and lead, and manufactures, by one-third; rents in London, before the Fire, had risen one-fourth, and after the Fire they were doubled; London was speedily re-built after that calamity; the merchant shipping had doubled; and instead of merchants asking for three, six, nine, or eighteen months' credit, as formerly, they now paid with ready money. Towns, also, were rapidly increasing; the number and splendour of coaches, equipages, and household furniture had much increased; the Newcastle coal trade had quadrupled; the postage of letters had increased from one to twenty. More plate, it was said, was wrought for the use of private families, from 1666 to 1688, than had been fabricated in the 200 years before; the *real property* of the kingdom, which in 1600 was valued at £17,000,000, was valued at £88,000,000 in 1668; and the rental of it had increased from £6,000,000 to £14,000,000. In 1688, also, we are told by Child, there were more men on 'Change worth £10,000 than in 1651 (when the legal rate of interest was reduced to 6 per cent.) were worth £1,000. A dowry of £500, in the former year, was of higher account than £2,000 in the latter; and gentlewomen formerly thought themselves well clothed in a serge gown, which their maids would be ashamed now to wear.

Notwithstanding these evident proofs of increased wealth, the theory of the balance of trade still prevailed, and led many to believe that the national prosperity was actually declining. On this principle, the trade with France was

Effects of
the balance
of trade
theory.

* Macaulay, I., 319-322.

1660-88

prohibited in 1678, when the country, excited by the entirely Popish Plot, was mad against popery and the French alliance. The reason of the prohibition was, that the importation of French wines, brandy, linen, paper, silk, and salt—which latter commodity was not then found in England—exhausted English treasure, because the French took nothing but money from the country in return.

Another mistaken notion, regarding the progress of commerce, led to the further enactment of navigation laws. The act of the Rump parliament was confirmed in 1661; but the ^{Navigation laws.} second part of the act* was so far modified as to be confined to goods imported from Russia and Turkey, and to certain goods only from other countries. The new act also provided that certain *enumerated goods* (as they were afterwards termed), the produce of the English plantations, should not be conveyed to any part of the world whatsoever, without first being shipped to England, and brought on shore there. All goods exported from England to other European countries were to be exported in English bottoms. These laws so far had this beneficial effect, that the English ship-owner gained by them, and the Dutch lost; but English consumers were considerable losers, the monopoly of the ship-owner being, of course, a tax upon the rest of the community.†

7. The East India Company was the only great chartered association which continued to flourish during this period. The charter which Cromwell had granted to them, in 1657, was renewed by Charles in 1661; and, in addition to their former privileges, they were empowered to erect forts, and to administer justice, to make peace and war with any people, not Christian, within the limits of their trade, and to seize all English subjects who invaded their privileges. Charles also gave to them the island of Bombay, to be held "as of the manor of East Greenwich," at a rental of £10 a year; and their trade became so lucrative that, in 1676, the price of their stock rose to 245 per cent. At that date, they employed above 30 ships, running from 300 to 600 tons burden, and carrying from 40 to 70 guns each. Their exports in bullion, cloth, tin, lead, and other goods, amounted to £430,000; their imports in calico, pepper, saltpetre, indigo, silk, drugs, pearls, and diamonds, to £860,000. Their importation of muslins and calicoes, which they were compelled to bring ^{The company's imports and exports} home plain after a time, that the English print works might be encouraged, led to the general use of those fabrics in female dress, instead

* Ante, p. 208. † Pict. Hist., III., 854-851.

of the French cambrics, Silesian lawns, and the woollen cloths from Flanders and Germany, which had hitherto been worn. They also began to import tea, after 1662. But they had great difficulty in obtaining it, because they got it second-hand from the Dutch, at Bantam, Madras, and Surat. In 1664, when they wanted to present the King with some rarities, they could only procure 2lbs. 2oz. of this now common beverage, for which they paid 40s. a pound. At length, in 1678, they went direct to Amoy, in China, for the article, and brought home 4,713lbs., which glutted the market! Coffee, also, brought from Turkey by the Levant Company, began to form an important item in the imports of the kingdom, and soon became a popular beverage. It should be observed that neither of these articles were sold to the public, except in a liquid state.

Importation
of tea and
coffee.

Charles II. twice granted the East India Company new charters; the first in 1677, empowering them to coin money in India; the second in 1683, granting them the right of exercising martial law in their Indian garrisons, and of establishing courts for the trial of crimes committed on the seas within the limits of their trade. James II. also enlarged their privileges still further. In 1683, they lost their factory at Bantam, in Java, but established another in Bencoolen, in Sumatra, and thus prevented the Dutch from monopolising the pepper trade. Four years afterwards, in consequence of a quarrel with the Nabob of Bengal, they removed from Hooghly, a town on the west branch of the Ganges, and established another factory at Sootanuttty, twenty-three miles further down, on the eastern bank of the river. From this settlement sprung the magnificent capital of India—Calcutta.*

Calcutta
founded.

8. The Settlement of Pennsylvania. The transatlantic colonies were multiplied during this period by the final establishment of the two Carolinas, and the planting of New Jersey, which, with New York and Delaware, was ceded by the Dutch in the reign of Charles II. In 1682, Pennsylvania was planted by the celebrated William Penn. On the death of his father, the admiral (1670), Penn applied to the government for the sum of £16,000, which his father had lent to the treasury. He petitioned not to have his claim settled by a money payment, but by a grant of land in America, on the river Delaware. The King granted him his petition, and by the aid of his friend Algernon Sydney, Penn drew up a constitution for his new colony, on the basis of civil

* Pict. Hist. III., 861-863.

1660-88

and religious freedom. There was to be an executive council, of which Penn, the proprietor, or his deputy, was to be president; and also an assembly. The members of both were to be chosen by universal suffrage.

On the 1st of September, 1682, the new colony, consisting of 100 persons, started from Deal, in the *Welcome*, a vessel of 300 tons. About a third died of the small-pox during the voyage. On the 27th of October, the survivors landed at Newcastle, on the Delaware; Penn assembled the inhabitants, showed them his charters, and explained his system of government; and everything was satisfactorily arranged. The industrial education of rich and poor was provided for; justice was to be cheaply administered; prisons were to be regulated with a view to the reformation of the criminal; all death punishments, except for murder and treason, were to be abolished; schools were founded; a printing press was set up, and a post was established. A distinct treaty was made with the Indians, and the land was fairly purchased from them. The ratification of this treaty has formed the subject of one of West's finest paintings.*

9. **The Plantation Trade.** The trade between England and her American settlements had now risen into importance, and was a rich source of profit. The exports from the home country in provisions, apparel, and household furniture, amounted to £350,000 between 1682 and 1688, and the imports, consisting of tobacco, sugar, ginger, fish, and other articles, were valued at not less than £950,000; of which about £600,000 worth were exported. The chief English port which was supported by this trade was Bristol, the second town in the kingdom; and the passion for colonial traffic was so strong in it, that there was scarcely a small shopkeeper who had not a venture on board of some ship bound for Virginia or the Antilles. Some of these ventures were of an iniquitous kind; consisting of cargoes of slaves, either felons or others obtained by a system of crimping and kidnapping. This traffic, at length, became such an enormity—the magistrates and aldermen of Bristol not being ashamed to enrich themselves by it—that even Judge Jeffreys attacked it, and instituted proceedings against the mayor of Bristol for carrying it on. The population of Bristol at this time was about 29,000 souls.†

Bristol and
the slave
trade.

10. **Political Economy.** Establishment of the Board of Trade. The new direction given to trade by the East India Company and

* Knight, IV., 379; Hepworth Dixon's *William Penn*.

† Macaulay, I., 349-350.

the American colonies, led to the discussion of those principles which constitute the science of political economy. At this time, there were prevalent two theories on this subject,—*the mercantile and the manufacturing systems*. The first assumed that nothing was really wealth except gold and silver; and that, in consequence, any trade was only profitable as far as it brought more money into the country than it took out of it. The fundamental principle of the second was, that a trade was profitable to the public when it was protected by restrictions and exclusive privileges, so as to benefit the capitalist who carried it on, and the producers or manufacturers of the merchandise which it exported. The chief political economists of this period were Mun, Child, and Petty.

Another result of the new channels of commerce, was the establishment of a board of trade, or council of commerce, as it was then called, in 1668. The idea of such a council was borrowed from Cromwell, who, in 1655, had appointed certain gentlemen, and merchants from London, York, Newcastle, Yarmouth, Dover, and other towns, to meet and consider by what means traffic and navigation might be best promoted and regulated. Charles II. made the board permanent.

11. **Mineral Wealth. Manufactures.** The chief minerals which formed the source of national wealth, in the seventeenth century, were tin, iron, and coal. About 1,600 tons of the first were annually extracted from the earth in the seventeenth century; but the veins of copper, which lay so richly in its immediate neighbourhood, were unknown. Rock salt was discovered, in Cheshire, not long after the Restoration, but the mines were not worked for a long time, the mineral being obtained from France, and a rude kind of brine being obtained from brine pits. The use of this inferior condiment encouraged many scorbutic and pulmonary complaints.

But the most important mineral which was now coming into use was coal, about 350,000 tons of which were consumed in London alone, in the last year of Charles the Second's reign. In consequence of the discovery of the northern coal beds, a constant stream of emigrants began to roll northwards, and while the archiepiscopal province of York contained only one-seventh of the population of England at the Revolution, in 1841 it contained two-sevenths. During the same interval, the population of Lancashire increased ninefold, while that of Norfolk, Suffolk, and Northamptonshire hardly doubled.

1660-88

The iron manufacture was in a languishing state at the close of Charles the Second's reign, and a great part of the iron which was used in the country was imported from abroad. The art of tinning plate iron, however, was introduced from Germany; and the first wire mill was erected at Richmond, by a Dutchman. "Prince's metal," resembling gold in its appearance, was ^{Iron.} invented, and so called because the inventor was patronised by Prince Rupert. Diving machines were also among the mechanical inventions which owed their origin to the same patronage. Sheffield and Birmingham were the chief seats of the iron manufacture at this date; but it was not till the reign of ^{Sheffield and Bir-} George I. that Sheffield cutlery surpassed that of the ^{mingham.} continent, in durability and fineness of workmanship. Birmingham buttons were just beginning to be known, and the place was famous for its manufacture of base coin; but the gun factories were not yet established. The population of each of these towns was about 4,000.

The Revocation of the Edict of Nantes gave a great impetus to the progress of the useful arts. French artisans settled in Spitalfields, as silk weavers; they also introduced the ^{The Spital-} manufacture of fine writing paper, which had formerly ^{fields} been imported from France; and some Venetian artisans, brought over by the Duke of Buckingham, in 1670, made great improvements in the making of glass. ^{weavers.}

The chief manufacture of the realm still continued to be that of woollen, the principal seat of which was at Norwich, which had a population of 29,000 souls. The legislature continued ^{The wool-} to enact statutes for its protection: *e. g.*, a law was passed, ^{len manu-} in 1666, directing that all shrouds for the dead were to be made ^{facture.} entirely of wool; the exportation of wool, or any material used in scouring wool, was also prohibited. In like manner, the linen trade was encouraged; any foreigner who engaged in it, or any trade connected with it, for the space of three years, ^{The linen} became a natural born subject, on taking the oaths of ^{manufacture.} allegiance and supremacy. The linen manufacture, introduced by the Scots into the north of Ireland, was fast rising into importance. Leeds was already the chief seat of the woollen manufactures of Yorkshire.

12. State of Agriculture. In the year 1685, the value of the produce of the soil far exceeded the value of all the other fruits of human industry. Yet agriculture was in a very rude and imperfect state, and the arable and pasture land did not amount

to much more than half the area of the kingdom, the remainder consisting of moor, forest, and fen. Scarcely any hedgerows were to be seen in the landscape, as appears from the drawings made at that time for the Grand Duke Cosmo, copies of which are now in the British Museum. At Enfield, close to London, was a chase of 23 miles in circumference, in which deer wandered by thousands, as free as in an American forest. Wild animals, as boars, foxes, red deer, wild bulls, wild cats, badgers, and martins, were in more or less abundance in various parts; fen eagles were common on the Norfolk coasts; bustards strayed in large troops on the downs, and cranes on the marshes. An average crop of wheat, rye, barley, oats, and beans then reached about ten millions of quarters; now it is more than thirty millions. The rotation of crops was very imperfectly understood; and cattle were still slaughtered at the beginning of winter, because there were no means of keeping them alive till the following spring. The salted meat which was thus laid in for cold weather was called Martinmas beef. Sheep and oxen were also very diminutive, in that age, when compared with the sheep and oxen which are now driven to our markets. Native horses were not of much value; Spanish jennets were regarded as the finest chargers; and the best coach horses were Flemish mares.*

Appearance
of the
country.

Wild
animals.

No winter
food for
cattle.

SECTION II.—GENERAL LIFE AND MANNERS.

13. Condition of the Working Classes. Wages and Prices. The great criterion of the state of the common people is the amount of their wages. In the seventeenth century, four-fifths of the working population were engaged in agriculture, the average weekly wages in which were four shillings. The rates, however, varied in different counties, and were still fixed by the magistrates, under the authority of the act of Elizabeth's reign. In Warwickshire, the agricultural labourer's wages were fixed, from March to September, at 4s. a week; from September to March, at 3s. 6d. The Devonshire labourer earned 5s. a week; in Suffolk the wages were 6s. in summer, and 5s. in winter; and

Wages still
fixed by law

* Macaulay, I., 233-238.

1660-88

in Essex, 7s. in summer, and 6s. in winter. The wages of workmen employed in manufactures were not higher, as we should suppose. An English mechanic thought himself entitled to a shilling a day, but he was often forced to work for sixpence. Bricklayers, masons, and carpenters, earned 2s. 6d. per day; and plumbers, 3s. These were the wages of those artisans who were employed in building and repairing Greenwich Hospital.

The necessities of life were still immoderately dear. The average price of wheat was 50s. the quarter; so that bread, such as is now given to the inmates of a workhouse, was then seldom seen on the trencher of a yeoman, or of a shopkeeper. The great majority of the nation lived almost entirely on rye, barley, and oats. Meat was cheaper than at present, the mean price of mutton being 16d. the stone of 8lb.; but, compared with wages, this price was so dear that, out of the 880,000 families, at which the common people were then estimated, one half, it was considered, ate animal food only twice a week, while the other half ate it not at all, or, at most, not oftener than once a week. Sugar, salt, coals, candles, soap, shoes, stockings, and, generally, all articles of clothing and bedding, were also much more expensive than they are now.*

14. Pauperism. During the present period, a new era commenced in the history of the poor laws, by the enactment of the famous statute of the 13 and 14 Charles II., c. 12 (1662), the foundation of the modern law of settlement.

The preamble states that the necessity, number, and continual increase of the poor was very great and exceeding burdensome, because of the defects in the law concerning the settling of the poor, and the want of a due provision and employment in such places where they were legally settled. In consequence of which many became incorrigible rogues, and others perished for want. To remedy these evils it was now enacted, that it should be lawful for any two justices of the peace, upon complaint made by the churchwardens and overseers of the poor, within 40 days after the arrival of any new comer in the parish, to remove him by force to the parish where he was last legally settled, either as a native, householder, sojourner, apprentice, or servant, unless he either rented a tenement of £10 a year, or could give such security against becoming burdensome to the parish where he was living, as the two justices should deem sufficient. By a subsequent act, passed in the reign of James II., the 40 days were to be reckoned from the time that he gave notice of his arrival to the churchwardens or overseers; so as to prevent his obtaining a settlement clandestinely. Before the passing of this act, a man's settlement had been either the parish where he was born, or where he had resided as an impotent beggar for three years, or as a vagabond for one year. The act did not affect strangers from Scotland, Ireland, and the Channel

* Macaulay, I., 430-436; Pict. Hist., III., 912.

Islands; these persons not being made removable before the 59 George III., c. 12.*

This merciless law, by which the poor were imprisoned within their own several districts, for the purpose of entailing upon each district the burden of its own pauperism, continued in force one hundred and thirty years, and was not repealed till the year 1795.†

The number of paupers then in England has been estimated at one fourth of the population, or about 1,330,000 people, at

least; the poor rate for supporting whom was undoubtedly the heaviest tax borne by our ancestors in those days.

It was computed, in the reign of Charles II., at near £700,000 a year; and in a short time it reached £840,000 a year. The highest assessments were made in Devonshire, Middlesex, and Norfolk; the lowest in Lancashire, Cheshire, and Westmoreland. In the former, they ranged from £35,000 to £56,000; in the latter, they did not exceed £7,200. In consequence of these heavy burdens, many men, foremost among whom was Firmin,

a London merchant, and an eminent philanthropist, sought to provide labour for the poor, by various schemes.

He erected a building in Aldersgate, at his own expense, to which he directed all the poor who came to him to go and receive flax, and when they had spun it, to carry it back and receive their money for it. The spinning business which he thus started was not a profitable speculation, but it satisfied him that the poor were benefitted. Another scheme of this benevolent projector's was, the establishment of industrial schools.‡

15. Court Life. The Restoration brought with it a full tide of levity and licentiousness, and of the debauched manners of the French court; and the most extraordinary scenes took place in the dressing-rooms of the King's mistresses. Some of Charles's domestic habits were very singular. His especial favourites were the spaniels called after his name; and he not only suffered them to follow him everywhere, but even to litter and nurse in his bed-chamber. Court language was in no better taste; and, sanctioned by the royal example, the upper classes resumed with double ardour many immoral practices which Puritanism had held in check. Swearing, which, during the Commonwealth, had been punished by a fine, and profligate conversation, were now so prevalent, that he was accounted "no gentleman, nor person of any honour, that had not, in two hours' sitting, invented some

* Pict. Hist., III., 906-907.

† See Adam Smith's *Wealth of Nations*, Book I., chap. x.

‡ Pict. Hist., III., 910-911.

1660-88

new modish oath, or found out the late intrigue between the Lord B. and the Lady P., laughed at the fopperies of priests, and made lampoons and drolleries on the sacred Scriptures themselves." Pride of birth had hitherto been a characteristic of the English aristocracy; but now, royal and noble concubines, and worthless actresses, became the wives of the highest nobility. Gaming and indecency were fashionable. Mrs. Jennings, a maid of honour, and afterwards Duchess of Tyrconnel, dressed herself like an orange wench, and cried oranges about the streets; on occasions of public rejoicing, ladies and gentlemen smutted each other's faces with candle-grease and soot; and gentlemen disguised themselves as ladies, and ladies as gentlemen.* The Countess of Shrewsbury, disguised as a page, stood by while her paramour, the Duke of Buckingham, slew her husband in a duel; and then welcomed the murderer with open arms.

The houses of the nobility, and of the fashionable parts of the capital, were in keeping with all this profligacy, by their squalid appearance, and the noisome atmosphere with which they were surrounded. "In Covent Garden, a filthy and

Situation of
aristocratic
houses.

noisy market was held close to the dwellings of the great. Fruit women screamed, carters fought, cabbage stalks and rotten apples accumulated in heaps at the thresholds of the Countess of Berkshire and of the Bishop of Durham." Mountebanks harangued, bears danced, and dogs were set at oxen in the most lordly areas; rubbish was shot there; horses were exercised there; beggars crowded there; they were receptacles for offal and cinders, for dead cats and dead dogs.†

At Whitehall, Charles kept open house every day, and gentlemen had no difficulty in making their way to the royal presence. "The levee was exactly what the word imports. Some men of quality came every morning to stand round their master, to chat with him while his wig was combed and his cravat tied, and to accompany him in his early walk through the park." All persons who had been properly introduced might, without any special invitation, go to see him dine, sup, dance, play at hazard, and hear him "tell stories about his flight from Worcester, and the misery he endured when he was a state prisoner in the hands of the Covenanters in Scotland.‡" Whitehall thus became the chief staple of news; people all hastened thither to obtain intelligence at an anxious time, and thence the

The court
easy of
access.

* Pict. Hist., III., 897; Pepys's Diary.

† Macaulay, I., 372-373.

‡ Ibid, I., 380.

news circulated through all the coffee-houses from St. James's to the Tower. It was this affability and good humour on the part of Charles that made him so popular, and fascinated even such an austere republican as Andrew Marvel.

16. The Country Gentlemen, however, looked upon Whitehall as filled with the most corrupt of mankind, and they hated the courtiers and ministers who embezzled the public money, and subjected the country to French dictation. Not one in twenty of them went to town once in five years, or had ever in his life wandered so far as Paris. Lords of manors received an education which differed little from that of their menial servants. Their chief tutors were grooms and gamekeepers; if they went to school or college, they generally returned before they were twenty, and then their most serious employment was the care of their property; they examined samples of grain, handled pigs, and, on market days, made bargains over a tankard with drovers and hop merchants. Their chief pleasures were derived from field sports; their language was clownish; they swore, made coarse jests, and used scurrilous terms of abuse. The litter of the farm yard gathered under the windows of their bedchambers; the cabbages and gooseberry bushes grew close to their hall doors;* their tables were laden with the old festive hospitality; and the huge sirloins and mighty plum-puddings that smoked upon them, laughed to scorn the innovations of French cooks that had become so fashionable in London. The quantity of beer consumed was enormous. As soon as the dishes had been devoured, the ladies of the house, who had cooked the repast, retired, and left the gentlemen to their ale and tobacco; and the coarse jollity of the afternoon was often prolonged till the revellers were laid under the table.

In his opinions, the country squire still retained the prejudices of his ancestors. He hated Frenchmen and foreigners, Papists and Nonconformists; and his wife and daughters were educated after the fashion of the Elizabethan age. But with all his grossness, he was, in all important points, a gentleman; proud of his ancestry, and full of chivalry; punctilious on matters of genealogy and precedence, and ready to risk his life rather than see a stain cast on the honour of his house.† He was a staunch Royalist, a strong Tory, and a zealous, though not an enlightened, churchman.

17. The Clergy. The position of the clergy in society was much lower in the seventeenth century than it is in our days.

* Macaulay, I., 332.

† Ibid, I. 334-335.

1660-88

This was owing to the character of the Reformation, which deprived ecclesiastics of their former ascendancy in the state, and thus offered no inducements for the higher classes to take orders. Hence, about the time of Charles the Second's reign, the clergy were regarded as a plebeian class. The country clergy a plebeian class. The position of domestic chaplains was one of great discomfort, even of degradation. "A young Levite—such was the phrase then in use,—might be had for his board, a small garret, and £10 a year, and might not only perform his own professional functions, might not only be the most patient of butts and of listeners, might not only be always ready in fine weather for bowls, and in rainy weather for shovelboard, but might also save the expense of a gardener, or of a groom." He dined with the family; but as soon as the tarts and cheese-cakes made their appearance, he quitted his seat, and stood aloof, till he was summoned to return thanks for the repast, from a great part of which he had been excluded.* If he obtained a living, and married a wife, a waiting woman was considered his most suitable helpmate. Indeed, Queen Elizabeth had strictly enjoined, that no parson should presume to marry a servant girl without the consent of the master or mistress. As children multiplied and grew, the household of the priest became more and more beggarly, and it was often only by toiling on his glebe, feeding swine, and by loading dung carts, that he could obtain his daily bread. "His boys followed the plough, and his girls went out to service. Study he found impossible, for the advowson of his living would hardly have sold for a sum sufficient to purchase a good theological library, and he might be considered as unusually lucky, if he had ten or twelve dog-eared volumes among the pots and pans on his shelves."† In the large towns, however, the clergy were far differently The town clergy. situated. Here were the scholars, the orators, the philosophers, and the great divines of the church; and the pulpits of the metropolis were occupied by a crowd of distinguished men; Sherlock, Tillotson, Wake, Jeremy Collier, Stillingfleet, Patrick, Fowler, Sharp, Tennison, Sprat, and Beveridge. In other places, Cudworth and Henry More were at Cambridge, which Pearson had just left for a bishopric, and where Barrow had lately died; South, Pococke, Jane, and Aldick, were at Oxford; Prideaux was at Norwich, and Whitby at Salisbury. But although the country clergy were so insignificant in the social scale, Clerical influence great. their influence upon the country was immense, for the

* Macaulay, I., 340.

† Macaulay, I., 343.

pulpit was, to a large portion of the population, what the periodical press now is, and it had this advantage, that the addresses delivered from it were never answered. It is needless to say that the clergy always used their power in favour of the Tories, and against the Whigs.*

18. *The Yeomanry.* The influence which the country gentlemen and the clergy exercised in the rural districts, was in some measure counterbalanced by the power of the yeomanry, an eminently manly and true-hearted race. The greater portion of them leaned towards Puritanism and the Whigs; and they regarded Popery and arbitrary power with unmitigated hostility. They were freehold proprietors, who cultivated their own fields with their own hands; and in number were estimated at not less than 160,000, forming, with their families, more than one-seventh of the whole population. Their average income was between £60 and £70 a year.† In imitation of the squires, they gave jolly harvest-homes, sheep-shearings, and the other old set feasts, to their labourers and dependants.

19. *City Life.* The city still continued to be the merchant's residence, and the general mode of conducting business was the same as before the Restoration. But many civic nuisances still existed, even after the city was rebuilt. The pavement was detestable; in rainy weather, the gutters soon became torrents, and as every pedestrian endeavoured to avoid the splashing of the coaches and carts, much disturbance ensued, and quarrels began which often ended in duels. The houses were not numbered; but the shops were distinguished by painted or sculptured signs instead, which gave a gay and grotesque aspect to the streets. When the evening closed in, it was dangerous to walk about. The garret windows were opened, and pails were emptied with little regard to those who were passing below. Falls, bruises, and broken bones, were of constant occurrence. The streets being left in profound darkness, thieves and robbers plied their trade with impunity. Young gentlemen swaggered about, breaking windows, upsetting sedans, and insulting the passengers. These were the *scourers*; and like them, but less boisterous, were the *dear hearts*, the *heroics*, and the *honest men*, who showed their loyalty by huzzaing for the King, drinking for the King, and breaking the peace. Others set up at the coffee-houses for wits and geniuses, condemned plays, patronised actors, and haunted authors. The

*The streets
of London*

*Midnight
marauders.*

**Prentice
riots.*

* Macaulay, 346-347.

† Ibid.

1660-88

'prentices, also, were as turbulent as ever; there were furious street encounters between the butchers and the weavers; and the audiences at the bear gardens sometimes fought fiercely upon the merits of their favourite dogs, or the gladiators in the sword-fights. In the last year of the reign of Charles the Second, however, an ingenious projector, named Edward Heming, obtained a patent conveying to him the exclusive right of lighting up London. He undertook, for a moderate consideration, to place a light before every tenth door, on moonless nights, from Michaelmas to Lady day, and from six to twelve o'clock.

First
lighting of
London.

Politics had now become an important element in the common business of life, and coffee-houses were the favourite resort of those who wished either to gather or retail the political news of the day. Political clubs were also abundant, where the citizens and tradesmen attended and took part in the discussions, to the great consternation and wrath of the aristocracy, who complained that every "ale-draper" had become a statesman. The most noted institution of this kind was the King's Head Club, composed of the friends of Shaftesbury, who met at the King's Head Tavern, near the Inner Temple. That the members might not fall foul of each other in the numerous street riots, each wore a green ribbon on his hat, from which the club was sometimes called the Green Ribbon Club.* Every rank and profession, however, and every shade of religious and political opinion, had its own club-house at some tavern or coffee-house, and the latter place of resort was so much the Londoner's home, that those who wished to find a gentleman, commonly asked not whether he lived in Fleet-street or Chancery Lane, but whether he frequented the Grecian or the Rainbow. Will's coffee-house, situated between Covent Garden and Bow-street, was sacred to polite letters, and here John Dryden sat in state, and received the homage of all literary men. Garraway's was the resort of medical men, and here Dr. Radcliffe, who in 1685 rose to the largest practice in London, might daily be found, at a particular table, surrounded by surgeons and apothecaries.†

Political
clubs.

20. Travelling. Roads. Coaches. The highroads, in the seventeenth century, were in a far worse condition than might have been expected, from the degree of wealth and civilization which the nation had even then attained. This was owing to the defective state of the law, which only bound every parish to repair the highways which passed through

Old method
of repairing
the
highways.

* *Pict. Hist.*, III., 898. † *Macaulay*, I., 384.

it. The peasantry were forced to give their gratuitous labour six days in the year, and if this was not sufficient, hired labour was employed, and the expense met by a parochial rate. This unjust method of burdening the rural population for the maintenance of the roads from town to town was, of course, very ineffective, and the dangers which travellers encountered in consequence of floods, quagmires, and deep ruts, were numerous and fearful. It was a very common accident for coaches to be overturned.* Soon after

the Restoration, however, the first Turnpike Act was enacted (15 Charles II., c. 1), imposing a small toll on travellers and goods, for the purpose of keeping some parts of the great North Road in good repair.

On the best highways heavy articles were generally conveyed by stage waggons. The cost of this mode of conveyance was enormous, and amounted to a prohibitory tax on many useful articles; coal, for instance, never being seen, except in the districts where it was produced, or in the localities to which it could be carried by sea. On by-roads, and generally throughout the country north of York and west of Exeter, goods were carried by long trains of pack-horses.

The year 1669 was remarkable as the year in which the first stage coach ran. For some years after the Restoration, a diligence ran between London and Oxford in two days; but, in the above year the flying coach was announced, and performed the journey between sunrise and sunset. Other stage coaches soon followed: flying carriages—as they were termed—ran thrice a week from London to the chief towns, getting over fifty miles a day in summer, and thirty in winter. The Chester coach, the York coach, and the Exeter coach, generally reached London in four days, during the fine season, but at Christmas not till the sixth day. Only six passengers could be conveyed in each vehicle, who sat inside; for accidents were so frequent that it would have been most perilous to mount the roof. The ordinary fare was about 2½d. a mile in summer, and more in winter. Great objections were made against this new mode of conveyance, by those who were interested in the old systems of locomotion, especially by those who bred and kept saddle-horses, by the Thames watermen, and by the innkeepers, who saw that their hostelrys would be deserted when there were fewer mounted travellers. Post horses, however, were still used for expedition; but there were, as yet, no post chaises; nor

* See instances in Macaulay, I., 388-389.

1660-88

could those who rode in their own coaches ordinarily procure a change of horses. The King, and the great officers of state, alone could obtain relays. When Charles II. went from London to Newmarket, a distance of fifty-five miles, the journey occupied a whole day; and this was regarded, by the people, as a proof of great activity. It will be sufficient to mention that this was the age when the great roads and waste lands about London were infested with our most famous highwaymen, Nevison, Highwaymen. King, Biss, Claude Duval, Turpin, and others.

21. **The Post Office.** The postal system, which had been set up by Charles I., and resumed under the Commonwealth, after the Civil War had swept it away, was permanently established by the Convention Parliament. If we are to credit a resolution of the House of Commons passed on the 28th of March, 1735, the privilege of *franking*, by the members of that house, began at the same time.* On most lines of roads, mails went out and came in only on alternate days. In Cornwall, in the fens of Lincolnshire, and among the hills and lakes of Cumberland, letters were only received once a week; but between London and the Downs there was daily communication; and this privilege was extended to Tunbridge Wells and Bath, during the watering season. The bags were carried on horseback, day and night, at the rate of five miles an hour. One A penny post established in London. William Dockwray set up, in the capital, a penny postage and parcels delivery, by which communication was had between various parts of the city, six or eight times a day. But the Duke of York brought an action against the speculator, for violating his monopoly of the post office, and Dockwray was obliged to give up the enterprise.†

SECTION III.—LITERATURE, LEARNING, AND EDUCATION.

22. **Newspapers and Newsletters.** At the accession of Charles II., the press was rigorously restrained, and all publications were placed under the censorship of a licenser for each department, viz., theology, law, history, and politics. The regulations were similar to those which had been drawn up in the reign of Queen

* Pict. Hist., III., 865.

† Macaulay, I., 401-402.

Elizabeth. But these restraints expired, with the statute which enacted them, in 1679, and then any person might print a history, a sermon, or a poem; but the judges decided that, by the common law, no man, not authorised by the crown, had a right to publish political news. While the Whig party was still formidable, the government thought it convenient to connive at the violation of this rule, and many Exclusionist papers were suffered to appear, as *The Protestant Intelligence*, *The Current Intelligence*, *The Domestic Intelligence*, *The True News*, and *The London Mercury*, none of which were published oftener than twice a week, or exceeded in size a single small leaf. At the close of Charles's

No news
printed
without a
royal
license.

The
London
Gazette.

reign, all these newspapers were restrained, and only the *London Gazette* was allowed. It came out on Mondays and Thursdays, and its general contents were, a royal proclamation, two or three Tory addresses, notices of two or three promotions, an account of a skirmish between the imperial troops and the Jannisaries, on the Danube, a description of a highwayman, an announcement of a grand cockfight between two persons of honour, an advertisement offering a reward for a strayed dog, the whole of which made up two pages of moderate size. When the government wished to publish the account of some important transaction, a broadside was issued; but, on the whole, the newspaper conveyed little news, and people, therefore, flocked to the

News-
letters.

coffee-houses to obtain information. Those who lived in the provinces were informed of what was passing by means of newsletters, which were drawn up by men regularly occupied therein, and sent to any town or country family, weekly, according to order. Except in the capital, and at the two universities, there was scarcely a printer in the kingdom; even so late as the year 1724, there were thirty-four counties—one of which was Lancashire—in which there was not a printer to be found; and the only press in England, north of the Trent, was at York.

The
Observer.

Besides the *London Gazette*, the court patronized another paper, called the *Observer*, consisting of comment without news. It was edited by Roger L'Estrange, an old Tory pamphleteer, and a mean and scurrilous writer, though possessed of keenness and vigour.*

23. Education. The state of education, between the Restoration and Revolution, was wretched in the extreme. In country places,

Scarcity of
books.

books were exceedingly scarce; and few knights of the shire had libraries so good as may now be found even in the

* Macaulay, I., 403-407.

1660-88

houses of our artisans. An esquire passed, among his neighbours, for a great scholar, if Hudibras and Baker's Chronicles, Tarlton's Jests, and the Seven Champions of Christendom, lay in his hall window, among the fishing rods and fowling pieces. In London, the great booksellers' stalls, near St. Paul's Churchyard, afforded readers some means of acquiring knowledge; they were crowded all day long; and a known customer was often permitted to carry a volume home. Even Cotton found room for his whole library in his hall window. The literary stores of the lady of the manor and her daughters, generally consisted of a prayer book and a receipt book. Englishwomen of that generation were decidedly worse educated than they have been at any other time since the revival of learning. If a damsel had the least smattering of literature, she was regarded as a prodigy; and high-born ladies were unable to write a line without making the most absurd blunders both in composition and spelling. For example, Queen Mary wrote this in the title page of a Bible: "This book was given the King and I, at our crownation. Marie R."

Great
ignorance
of English
ladies.

The chief cause of this shameful ignorance was the extravagant licentiousness, which degraded the women of the Restoration morally and intellectually. Court ladies found that they won admiration by the adornments of their bodies, more than by the accomplishments of their minds; in fact, it was dangerous for them to be otherwise than ignorant, frivolous, voluptuous, and fond of romping.

The literary attainments of gentlemen, however, were not of so low a standard, and although the knowledge of Greek was not to be compared to that which distinguished the Elizabethan age, good Latin scholars were numerous. But the language that was most studied was that of France, whose influence at that time was paramount and universal, in politics, literature, science, arts, arms, fashion, and etiquette. To garnish his conversation with scraps of French, was considered to be the best proof a gentleman could give of his parts and attainments.*

Attainments
of gentlemen.

24. Dramatic Literature. The characteristics of English writers in the first division of the seventeenth century, were not maintained in the second; and after the Restoration new canons of criticism, and new models of style, came into fashion. Our writers became more strictly idiomatic and English; the quaint ingenuity which had deformed the verses of Donne and

Character-
istics of
English
writers.

* Macaulay, I., 408-413.

Cowley disappeared from our poetry; our prose became less majestic, less artfully involved, less variously musical, than that of an earlier age, but more lucid, more easy, and better fitted for controversy and narrative. These changes were owing to French influence; but they were attended with many disadvantages; the ease sometimes became negligence and feebleness, and often turned to coarseness and vulgarity.* But there was one gross evil which disfigured English literature at this period—profligacy—which was especially shown in the comic drama. In the early English comedy, we certainly find a large intermixture of obscenity in the lower characters, and frequent scences of licentious incident and language. But these are invariably so brought forward as to manifest the dramatist's scorn of vice, and to excite in the spectator the same sentiment. In the comedies of Dryden, Wycherley, Shadwell, Etherege, and others, after the Restoration, a different tone was assumed. Vice was in her full career on the stage; the theatres became the seminaries of wickedness; the loosest verses were put in the mouths of women, and nothing charmed the depraved audience so much as to hear lines, grossly indecent, repeated by a favourite actress.† English tragedy was not so corrupt; the chief writers in this department were Dryden, whose reputation, however, as a dramatist, does not stand high; Southern, the author of the *Fatal Discovery*; and Otway, whose *Venice Preserved*, and *Orphan*, are reckoned the best tragedies of this period. These compositions have received the general name of rhyming, or heroic plays, because they were written in rhyme, and in a pedantic and inflated style, after the fashion of the French theatre. The great tragic actor of this period, was the celebrated Betterton.‡

25. Poetry. As the drama was that department of literature in which poets had the best chance of living by their pens, we find that, setting aside the two great names of Dryden and Milton, the present period is one remarkably sterile in poetical genius. While an obscene tumult raged all around him, Milton meditated and wrote his *Paradise Lost* and *Paradise Regained*, and his *Samson Agonistes*. After his death, in 1674, Dryden held almost a complete monopoly of English poetry till the end of the century.

He was born at Aldwinkle, Northamptonshire, in 1632, and received his education first at Westminster School, under the celebrated Dr. Busby, and afterwards at Trinity College, Cambridge. His first short poems were not written till he approached thirty; and though some of his dramas, not indeed

* Macaulay, I., 412; Hallam's Lit. Hist. IV., 315.

† Macaulay.

‡ Hallam, 280-286.

1660-88

of the best, belong to the next period of his life, he had reached the age of fifty before his high rank as a 'poet had been confirmed by indubitable proof. He may be considered as a satirical, reasoning, descriptive, narrative, and lyric poet, and as a translator.* Dryden's life and works. The greatest of his satires is *Absalom and Achitophel*, a political poem, in which the chief characters are intended to represent Shaftesbury and Buckingham; the chief of his reasoning poems is the *Hind and Panther*, written in the reign of James II. against the popular party, and arguing in favour of Romish tradition and authority, against the inconsistencies of a vacillating Protestantism. His *Fables*, or stories modernised from Boccaccio and Chaucer, are the most popular of his poems in the present day; his fame as a lyric poet depends almost entirely upon his *Ode on St. Cecilia's Day*, commonly called *Alexander's Feast*, the noblest ode in our language;† his reputation as a translator of Virgil, Ovid, Juvenal, Horace, and other classic writers, is not very high.‡ The Revolution threw Dryden out of his office as poet laureate; and as he had written his *Hind and Panther*, and some of his bitterest satires, against the party which brought about that great event, he ended his days in disappointment and poverty, being obliged to depend upon the penurious remunerations of Tonson and the other publishers of the day. He died in the year 1700, and was buried in Westminster Abbey.

The most popular poem that was published during this period was, undoubtedly, Butler's *Hudibras*, which, being full of the most poignant wit at the expense of the Puritans, Butler's Hudibras. became the text book of the Cavaliers, and the favourite of the King and courtiers, who found in it an inexhaustible source of humorous quotation, and keen provocative to witty conversation. Yet the author of it was allowed to live in poverty and neglect, and he died in 1680, leaving the work unfinished. The remaining poets of this era were of minor fame, and may be simply enumerated. They were Cleveland, Marvell, Oldham, Minor poets. Roscommon, Rochester, Dorset, and Mulgrave.

26. Theological Literature. In theological literature, England can boast of many great names during the Restoration period. Religious controversy still occupied the attention of our chief divines; the opposing tenets of Arminianism and Calvinism, and of Trinitarianism and Unitarianism, forming the chief subjects of discussion. In the former, the *Harmonia Sacra* of Bull is reckoned the chief work, and in the second, *Defensio Fidei Nicenæ*, by the same author, though the latter was not primarily directed against the Socinian doctrine. Bull's works. Taylor's *Dissuasive from Popery*, was another controversial work, provoked by the publication of Bossuet's famous *Variations of Protestant Churches*. To it we may add the sermons of Barrow, Stillingfleet, South, and Tillotson.

* Hallam, IV., 245. † Macaulay, I., 418. ‡ See Hallam's Lit. Hist., IV., 244-250.

As Jeremy Taylor was the pride of the English church, so Richard Baxter was the pride of the English Presbyterians of this age. He was born at Rowton, in Shropshire, in 1615, and failing to obtain employment at court, became minister of Kidderminster; but, on the outbreak of the Civil War, he entered the parliamentary army, as a military chaplain. He soon returned to his parish, in consequence of the feebleness of his health. At the Restoration he was appointed one of the royal chaplains in ordinary; but the appointment was a mere mockery, for, being a Nonconformist, the persecuting statutes prevented him from exercising his ministry, and he was repeatedly imprisoned. He died in 1691, at the age of 96. His works were so numerous as to comprise 145 separate treatises, the best known of which are his *Saint's Rest* and *Call to the Unconverted*. But all are good, says Dr. Johnson; and Barrow said of him that, "his practical writings were never mended, and his controversial ones seldom refuted."

Another illustrious Nonconformist divine was John Howe. The mere mention of John Bunyan, the immortal author of the *Pilgrim's Progress*, will be sufficient for one whose writings are so universally read, and the singularity of whose life is so widely known.

27. Science and the Arts. The period of the Restoration was more remarkable for the advances made in science and the arts, than for the excellence of its literature. In 1660, the Royal Society, destined to be a chief agent in a long series of glorious and salutary reforms, was regularly instituted and incorporated

by royal charter; and, in 1665, it began to publish the works and discoveries of its members under the title of "Philosophical Transactions." Boyle was one of the founders, and Ward and Wilkins, the respective Bishops of Salisbury and Chester, were conspicuous among the leaders of the movement. Sprat, afterwards Bishop of Rochester, wrote its history; Chief Justice Hale and Lord Keeper Guildford were members of it, distinguished for their knowledge of hydrostatics;

and it was under the direction of the latter that the first barometers ever exposed for sale, in London, were constructed. Buckingham dabbled in chemistry; Rupert, who was a warm patron of science, has the credit of having invented mezzotinto; and Charles himself had a laboratory at Whitehall. Thus, the new philosophy which Bacon had inaugurated, was rapidly producing its fruits; there was a conviction that, in physics, it was impossible to arrive at the knowledge of general laws, except by the careful observation of particular facts, and, therefore, all scientific men applied themselves to the task. Already, a reform in agriculture had been commenced; new vegetables were cultivated; new implements of

Richard
Baxter.

John Howe
and John
Bunyan.

Foundation
of the
Royal
Society.

First
barometers
sold in
London.

1660-88

husbandry were employed; new manures were applied to the soil. Under the sanction of the Royal Society, Evelyn wrote his work on the planting of trees; Temple made many experiments in horticulture; and medicine had become an experimental and progressive science, and every day made some advance. Under the influence of this new spirit, also, Boyle made many discoveries in chemistry, and Sloane, numerous researches in botany; Ray made a new classification of birds and fishes, and Woodward studied the nature of shells and fossils. Wallis placed the whole system of statics on a new foundation; Gregory constructed the first reflecting telescope; Halley investigated the properties of the atmosphere, the tides, the laws of magnetism, and the course of the comets; and while the latter mapped the constellations of the southern hemisphere from the isle of St. Helena, Flamsteed, who compiled the first accurate series of lunar, planetary, and stellar observations, and was the first astronomer royal, superintended the building of Greenwich Observatory, which was founded in 1675. Pre-eminent above all was Sir Isaac Newton, whose fame, though his genius was then in its meridian, did not become known till after the Revolution. While England was thus far in advance of her neighbours in science, in art she was far behind them, and the only great name that we can boast of is that of Christopher Wren, the famous architect of St. Paul's, and of the finest old churches in London. The great fire of London gave him an opportunity, unprecedented in modern history, of displaying his powers; but the greater portion of his works belong to the period after the Revolution. Lely and Kneller, the two chief painters of this period, were both Westphalians; the two most celebrated sculptors, Cibber and Gibbons, were also foreigners, the former a Dane, the latter a Dutchman; even the designs on our coins were made by French artists; and it was not before the first half of the eighteenth century had expired, that England could glory in either a great painter, or a great sculptor.*

Discoveries
of Halley
and
Flamsteed.

Sir Isaac
Newton.

Sir
Christopher
Wren.

No native
painters or
sculptors.

• Macaulay, I., 421-430.

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